

JAMES TAN

POWER *and*
PUBLIC FINANCE
at ROME,
264–49 BCE



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To Martin Stone

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Acknowledgments

Although this book will appear to many to be the product of “The Obama Years” or “The Tea Party Revolution,” the basic argument was, in fact, conceived in the academic year of 2006–7. It was then that I began to prepare for the oral exams that Columbia University’s Classical Studies program requires, and I sought a scholar who could train me to answer a simple question: How did forces shape Roman Republican politics outside of the formal institutions of *comitia*, *contio*, triumph, and so on? Scholars had rightly emphasized that these sites had strong ritualistic components and were dominated by elite magistrates, but what of the everyday existence of Roman citizens—the politics that happened outside of these strictly regulated interactions? I was especially interested in protest and in violence, so I contacted Charles Tilly in the Sociology Department. He took me in and transformed my education. I had the enormously refreshing experience of studying societies and periods that have nothing to do with Rome, I came across new ways of understanding how people interact, and I began to see how my different interests could coalesce and produce my own, coherent way of understanding Roman history. I began to see, in other words, how economic forces and fiscal issues have forever been inescapable parts of politics. In the book that follows, I will pursue that conviction as far as I can take it.

Chuck died when I was in the early stages of writing my dissertation, but he was just one of several teachers at Columbia who deserve thanks for contributing to this project. William Harris’s expertise in economic history was one of the main reasons I chose to study at Columbia, and he has always been generous with his time and his formidably broad knowledge of ancient history. He was the principal supervisor of my dissertation, and the book’s final shape owes a lot to his feedback on what was missing from the first version. Richard Billows, Marco Maiuro, and James Zetzel read the dissertation and provided valuable comments. Harriet Flower was my external examiner and

has provided plenty of advice since. Special thanks, however, are due to Karen Barkey, who agreed to supervise me after Chuck's death. An Ottomanist and sociologist, she was under no institutional obligation to supervise an ancient historian, yet she poured time and energy into improving the project. She was forever reassuring in some stressful times, and it was a privilege to witness her erudition and professionalism first hand.

It is also a pleasure to thank Seth Bernard, Dexter Hoyos, Joe Manning, Andy Monson, Stephen O'Connor, Nate Rosenstein, and Mark Toher, each of whom read parts of the dissertation or book and improved them in different ways. Walter Scheidel has offered encouragement and various forms of assistance in getting these pages to print. I also gained a lot from delivering different parts of the book as talks at Harvard University, at Birkbeck, University of London, at Washington University in St Louis, at the University of South Africa, at Georgetown University, and at the University of Toronto. Finally, I was fortunate to receive a fellowship from the Mrs Giles Whiting Foundation to complete the dissertation, and Union College and Hofstra University have each offered various resources to help complete the book.

I cannot thank Zoë Tan enough. She has made enormous sacrifices so that I can pursue this career; as an intellectual sounding board, a ruthless editor, a beloved wife, and the mother to our children, she is just the best. To Oscar and Charlie, I would be lying if I said you helped in any way to write this book, but you have made it more fun. I love you both.

I began with a teacher from my postgraduate education, but I will close with the teacher who defined my undergraduate years. At the University of Sydney, Martin Stone taught me how to be a Roman historian, and I cannot imagine another who could combine such knowledge, such rigor, and such willingness to devote time to improving students. Although I know he would disagree with much in this book, I wish he were still here to read it. His worth as a scholar should be measured, not in the number of books he wrote himself, but in the number dedicated to him. This is one of them.

Introduction

Who among us can judge the soldiers at Corfinium if, faced with the hardened conquerors of Gaul, they needed a little encouragement to clash swords? For when the die was cast in 49, Pompey ordered his forces to evacuate Italy, and Caesar's troops cascaded south in pursuit.¹ Someone had to try to slow their advance. Across the Appenine Mountains from Rome, a large body of soldiers attempted to prevent their progress by breaking down a bridge before the city of Corfinium, but Caesar's vanguard arrived and drove them back into the town. A siege began. The troops looked out on their swiftly encircling foe and felt their resolve waver, and so their commander sought to reinvigorate their spirits.

Perhaps the most interesting part of the story is that, when it finally came, the encouragement they received was of a remarkably mercenary fashion. Their commander, the highly aristocratic L. Domitius Ahenobarbus, never tried the lash, never promised to promote some government program in the future. If he launched into a stirring speech about patriotism, we hear nothing of it. He instead offered to each of the rank and file forty iugera of his own private land for each to keep as his own, and proportionally more to senior troops. Caesar claims that there were over thirty cohorts under Ahenobarbus' command, which would notionally mean over 14,000 troops and would require approximately 140,000 hectares of land before officers (the number of troops is, however, surely exaggerated). It may raise eyebrows to read that this one man was willing and apparently able to give up so many hectares of land to his own colonization program. Nor did Ahenobarbus seem to entertain any notion that it was the Roman state that was responsible for rewarding his soldiers. If his troops were to be won over by economic resources, it would not be by the generosity of the Roman treasury. Ahenobarbus himself would have to foot the bill.²

1. All dates are BCE unless otherwise indicated.

2. Caes. *BCiv.* 1.16–23, where it is obviously in Caesar's interests to portray his enemies' armies as bribed. Ahenobarbus would, nonetheless, go on to lead a force of soldiers and sailors from his own estates (Caes. *BCiv.* 9.2.3, with Nicolet 1980b: 131).

It is worth lingering on Ahenobarbus' decision to put his own wealth to work in the war—a war, it should be remembered, that Caesar, too, was largely funding from his own estate. Although Ahenobarbus happened to despise Caesar, the legitimacy of his cause depended not on his own personal enmity so much as on the portrayal of himself as the legitimate representative of Rome's public institutions. It comes as a surprise, therefore, that Ahenobarbus does not assert the role of the treasury—the wealth of the Roman state he was defending—but imitates Caesar in offering his own personal wealth to support his army.

It stands to reason that Roman soldiers of the time expected access to their leaders' private wealth if they were to fight in the legions. From the aristocrats' perspective, there seems to have been no expectation that the state would monopolize the cost of warfare. A generation before Ahenobarbus and Caesar, Q. Caecilius Metellus led a Spanish war against a rebel Roman named Q. Sertorius, and unable to extinguish the guerrilla war he faced, he promised 100 talents of silver and 20,000 iugera (approximately 5,000 hectares) to any man who could assassinate his enemy.³ M. Licinius Crassus earned notoriety for gauging personal wealth in terms of military viability: no man could consider himself wealthy, he claimed, unless he could support a legion from his own income.⁴

Even in a matter as public and collective as warfare, therefore, it was evidently impossible for the state to sequester the interests of aristocrats within their own domains. It is, of course, unimaginable that a general in a modern Western army would offer parts of his own estate to his troops as an incentive to fight. Reasons for this are fairly obvious. Aside from the depoliticization of the armed forces, no private estate can match the wealth of a modern state treasury, and even Bill Gates would be quickly bankrupted if he tried to sustain national defense. As Charles Tilly put it, "Every thirteenth-century noble household owned swords, but no twentieth-century household owns an aircraft carrier."⁵ Immense cost has made it impossible for individuals to wage Western war, but this is only part of the reason Ahenobarbus could embrace a liberality inconceivable today. Another explanation, as Tilly well knew, was that premodern states failed to claim as much wealth and as much power as their modern equivalents have done, and this left wealthy elites relatively empowered vis-à-vis their public treasuries. It was natural to Ahenobarbus that an aristocrat might play the role of the state, and Michael Crawford has aptly dubbed these great magnates of the Late Republic "alternative states."⁶

Such aristocratic dominance was unquestioned at Rome, and even today it is easy for Roman historians to accept this degree of power as a given of Roman society. Rome, after all, had always been a steeply hierarchical place, where a fluid but

3. Plut. *Sert.* 22.

4. Plin. *HN* 33.134: *Crassus negabat locupletem esse nisi qui redditu annuo legionem tueri posset.*

5. Tilly 1990: 84.

6. Crawford 2008: 636.

narrow elite had long enjoyed tremendous privilege. A case could be made that there is nothing to be explained here. Who could be surprised that the Roman aristocracy—like so many aristocracies in ancient city-states—managed to enjoy such prominence and exert such dominance? Wealth and power were, after all, ubiquitous among almost all of antiquity's ruling families, and states frequently failed to circumscribe the behavior of aristocrats. Yet, it is not self-evident that Rome would follow this typical trajectory. In conquering much of the known world, Rome stretched the definition of a city-state. Romans now had administrative challenges which no other Greek or Roman city ever faced, and a strong case could be made that the state needed improved capacities and greater control of resources as a result.

More important, the wealth that aristocrats like Ahenobarbus and Caesar offered to their troops was the direct result of Rome's imperialistic venture, a venture which required the mobilization of the wider Roman population into the state's fleets and legions. It was not alone that the aristocracy stripped the vanquished on the battlefield, looted their homes, enslaved families, and redirected taxes to Rome.⁷ Roman citizens imposed all this by joining the legions. It was thanks to the quotidian labors of Roman soldiers that foreign lands provided markets for moneylenders and that landowners came to possess estates from Spain to Iraq. The aristocracy could only grow so wealthy because the Roman people subscribed to the state's *raison d'être* of winning wars. This state—with its treasury, its legions, and its laws—was the essential vehicle of the aristocrats' imperialistic enrichment, yet it singularly failed to rein in its elite rulers or to assert its own claims over theirs.

This book begins with the problem that only through centralization (the hitching of the population's diverse resources of wealth and manpower to the one cart) could Rome's leaders effect the conquest of the Mediterranean, but only by decentralization (the dispersal of the profits into private estates) could they so suppress the state's powers and entrench their own privilege. Private profit required public exertion, but an excessively empowered public sphere would have curtailed the aristocracy's freedom of action. How (and with what effect) did a relatively narrow elite succeed in annexing the spoils of so many people's industry without sacrificing social supremacy? This may have been the norm in the ancient world, but even if such a claim is true, it merely tells us that the outcome was inevitable. It does not shed any light on the all-important processes through which Rome's rulers executed such a profitable maneuver. At stake is a deeper understanding of how the aristocracy established and preserved its extraordinary domination of Roman society.

Since the nineteenth century, the study of Roman history has only occasionally let the Roman aristocracy out of its sight.⁸ This long and distinguished

7. Mann 1986: esp. 296, where the profits of empire are said to have "disappeared" into civil society.

8. In one of few regrettable sentences in an otherwise stellar career, Ernst Badian assured his readers that "the study of the Roman Republic—and that of the Empire to a considerable degree—is basically the study not

historiography has rightly maintained that Rome's rulers sat atop a steeply hierarchical social order in which famous deeds—both their own and those of their ancestors—perpetuated a charisma, sustained social networks and entrenched a degree of privilege which made their rule all but unshakeable. From such a perspective, it is obvious that the aristocracy would enjoy the sort of wealth, autonomy and influence which Ahenobarbus demonstrates.⁹ The nature of the aristocracy's dominance was explained in various ways over the last century and a half, but ground breaking recent scholarship has distinguished itself in illuminating the social psychology that legitimized elite rule.¹⁰ In a tide of overlapping work, Flaig brought to light a “plebejischer Gehorsam” (plebeian obedience or deference), Jehne showed how the integrative nature of so many public interactions affirmed elite dominance, while Hölkeskamp reconstructed the conceptual filters of Romans to determine how and why they failed to think outside of the vertical social networks in which they lived.¹¹ Morstein-Marx offered a similar model when he argued that the elite enjoyed an “ideological monopoly” that prevented the bulk of society from conceiving of political life outside of the prevailing hierarchies.¹² These approaches, which emphasize the consensus surrounding elite dominance, reveal aristocratic supremacy to be all but unchallenged—even unchallengeable. It was so woven into Roman life as to be ineradicable. The important conclusion of this line of research has been to show how thought processes, communicative interactions, and visual media all exerted a kind of conservative gravity, pulling political culture back to the status quo and cementing the power relationships that already predominated. Thus, major reform was rendered impossible, and by the end of the Republic, Rome, unable to adapt its exiting practices and structures to new challenges, had descended into what Meier dubbed “a crisis without alternative.”¹³

of its economic development, or of its masses or even of its great individuals: it is chiefly the study of its ruling class.” See Badian 1968: 92, with Brunt 1969.

9. On the wealth of the elite, Shatzman 1975 is the standard reference, now with Kay 2014. On the social and economic effects of elite enrichment, Hopkins 1978 (despite suffering several blows in the years since) remains fundamental, while few recent archeological reports have demonstrated the economic vigor of elite landowners as clearly as those in Volpe 2012. For an argument that the broader population also benefited economically from military expansion, see now Scheidel 2007, as well as Dyson 1992: ch. 2 for the archeological evidence of non-elite prosperity. The wealth of less prominent families will also be addressed. The most influential studies of the Roman Republican aristocracy include Gelzer 1912, Münzer 1920 (both subsequently translated into English), Syme 1939, Taylor 1949, Badian 1957, Gruen 1974, with the key correctives of (*inter alia*) Meier 1980, Seager 1972, and Brunt 1988, with Hölkeskamp 2001, 2006, and 2010.

10. Much of this work builds on the groundbreaking contribution of Meier 1980 (first edition 1966), which first attempted to identify the “political grammar” according to which Rome's conservative, traditionalist, and hierarchical socio-political system perpetuated itself.

11. A very simplistic and schematic summary. See Flaig 2003; Jehne 1995, 2000a, 2000b, 2001, and 2013; as well as Hölkeskamp 2000, 2004a, 2004b, 2006, 2010 (translated from 2004a), 2011a, and 2011b: esp. 54–5, where reference is made to “nomological knowledge” and the “mental ‘horizon.’” Other recent and related contributions include Laser 1997, Walter 2004, and Beck 2005. Jehne 2010 provides an excellent introduction to the history of scholarship, while the argument at Hölkeskamp 2010 is entwined with a similar survey of research.

12. Morstein-Marx 2004 (with the later contribution of Morstein-Marx 2013b).

13. Meier 1980. A concise English retelling is available at Meier 1995: chs. 1–3.

With most of what these scholars have established, I am in total agreement and have little to criticize or to add. Any work that seeks to understand how the Roman elite managed politics in its own favor—as this book does—must now acknowledge that there was enormous psychological pressure to accept the traditional values of Roman society, and that these values were successfully manipulated by aristocratic families to reinforce their own supremacy. In this book, however, I will not be adopting the same approach. Although I am convinced that most of the insights produced by such scholarship are correct, I confess that I am comfortable neither with the depth and universality of their application nor with the constraints they impose on the idiosyncratic capacity of historical actors to construe their own social and political existence.¹⁴ For the “consensus approach” to fulfil its explanatory potential, it requires a conception of human existence composed of nothing except the accumulation of cultural concepts and learned instincts. It needs to create a mental and cultural cage no Roman was able to escape and that accommodated little if any idiosyncrasy on the citizen’s part.¹⁵ I am convinced, however, that plenty of individuals—whether through nature, creativity, desperation, or sheer social incompetence—could only have reproduced the mental structures of Roman political culture within some significant range of deviance, conflict, novelty, dissonance, or confusion. Sewell has offered a compelling theory of why the multiplicity, polysemy, transposability, and unpredictability of such “structures” require agents to employ their own interpretation and tactical nous in navigating through the maze of social experience.¹⁶

The outcomes contain an unavoidable volatility. Circumstances, moreover, could provoke strategies for change, strategies which did not have to prompt outright innovation. They could lead to the recombining or reactivation of concepts, practices, or transcripts that had been previously innocuous. This does not imply an intention to overthrow the whole system; it is merely an acknowledgment that society’s shared stock of (sometimes dissonant) concepts and experiences can be assembled to produce more than one inevitable consensus. The excess of these social “resources” enables change through the new ordering of old and accepted ways.¹⁷ Even within the model of mental categories erected in recent works, therefore, I still perceive great limits in the broad use of culture as a determinant of Roman political history.

14. For a measured and judicious examination of the issue, see Morstein-Marx 2013a.

15. See Hölkeskamp 2010: 54 for his discussion of “nomological knowledge” and the applicability of the concept to “every society and political culture.” See also Morstein-Marx 2004 for Rome’s “ideological monotony.”

16. Sewell 2005: ch. 4.

17. Scott 1990. My approach to the mutability of social structures, institutions, and concepts owes a great deal to Thelen 2002, Sewell 2005, Streeck & Thelen 2005, and Crouch & Keune 2005.

My unease with this approach, then, stems not from the reconstruction of Roman cultural concepts and experiences itself, or even from the force that each of these concepts and experiences exerted on those immersed in them, but from a behavioral model that insists that all Romans internalized them, translated them into action, and then reproduced them with minimal variability over long periods of time. I am simply not comfortable with so strictly prescribing what historical actors could and could not apprehend. To ease this discomfort, I will refocus the prevailing methodologies in two ways.

The first focus is on historical change. Most of the works just cited are more or less synchronic. Seeking to explain how the Republican system—and especially its incredibly durable set of ruling families—sustained itself over centuries with so little internal change, much recent scholarship has emphasized the traditionalism and continuity of Roman political culture. To the extent that continuity is in more pressing need of explanation than discontinuity—and there is certainly a great deal of continuity worth analyzing in Roman Republican history—this approach makes sense. At the same time, however, there were epochal transformations at Rome in culture, in demographics, and in countless other aspects of historical existence. It should be self-evident that a city-state cannot establish an empire on three continents without experiencing grave discontinuity.¹⁸ Where possible, this book explicitly prefers a diachronic approach, since this affords us the best chance to stalk developments before, during, and after the great conquests of the third and second centuries. Only by examining the differences—in this case, through case studies across a significant span of time—can anyone begin to answer the important question of how expansion affected Rome.

The second focus is on economics. Much of the change that occurred was bound up in the influx of resources, be they wealth, bullion, land, slaves, or various other tangibles or intangibles.¹⁹ The focus on communicative interactions—on ritual, on collective memory, and on the semiotics of power—all have their place, but one does not need to be a Marxist to acknowledge the relevance of materialism to the study of history. Nor does one have to be a partisan primitivist or modernist to acknowledge that economy and society were entwined in Rome (and everywhere else).²⁰ No matter how a society is defined, the distribution of wealth plays a critical role in ordering, sustaining, and transforming social networks. Excellent work has been done in understanding so many of the interpersonal and political interactions of the Republic, but too little attention has been paid to the role of economic resources. They shaped the goals

18. For an emphasis on discontinuity in the Roman Republic(s), see Flower 2010. All change was despite the Romans' best efforts to see their political system as more or less fossilized: for discussion, see Cornell 1991 and Ungern-Sternberg 2006: esp. 372–3.

19. See now Kay 2014.

20. For the primitivist-modernist debate within ancient economic history, see Morris's introduction to the second edition of Finley 1999, with the comments of Horden & Purcell 2000: 146–50.

and strategies of the less privileged, they affirmed the (in)dependence of actors within vertical relationships, and they played a role in determining who feared what and whom.

Scholars have, of course, been aware of wealth's importance.²¹ Rosenstein ended his otherwise positive review of Hölkeskamp's 2010 monograph by noting the absence of economics: "Missing however is any analysis of how the economy affected ordinary Romans' acceptance of aristocratic rule. . . . Did citizens follow their elite leaders because political culture determined their thought-world or because of the material benefits they brought them?"²² I myself am generally sympathetic to the view "that there is always enough discontent in any society to supply the grass-roots support for a movement if the movement is effectively organized and has at its disposal the power and resources of some established elite group."²³ I am, however, positively convinced by the notion that the Roman elite's economic dominance was a central pillar of its political dominance. That this line of inquiry deserves more attention needs little justification. It was in relation to just such interplay between the economic and the political that Nicolet pronounced imperiously, "*je considérerai le sujet comme légitime, a priori.*"²⁴

One further difficulty of explaining Roman society through cultural concepts is that our literary sources—all of which stem from elite males—shed dim light on the thought processes of most Romans.²⁵ Prescribing the popular thought-world is thus not a task with which I myself am at ease. I am more inclined to shift the focus from culture and psychology to material goods, which I more comfortably assume to have been of relevance—and to have occupied a far narrower range of meanings and allure—for all actors.

From 241, when Sicily became the Romans' first province, it took them less than sixty years to notch up major victories on the three Mediterranean continents. In another seventy, they would be governing permanent provinces from modern Portugal in the west, to Tunisia in the south, and Turkey in the east. Seventy more years would see Roman magistrates governing from the Euphrates to the Rhine, and with these victories and provinces came wealth. The movement of money is not, however, like the movement of water. It does not follow a natural or unavoidable course from one point to another. Instead, it offers possibilities and forces decisions. Every culture faced with new riches must apportion the benefits according to some set of practices, beliefs, and contests. There

21. Badian 1968; Brunt 1971b and 1988; Hopkins 1978; Veyne 1990; and Ungern-Sternberg 2006: esp. 372–89.

22. Rosenstein 2012a: 277. See also Crawford 2011: 111, referring to Meier's dismissal of economic factors as "simply mad" and Hölkeskamp's discussion of socioeconomics as "jejune."

23. Turner & Killian 1972: 251, with McCarthy & Zald 1977: 1215.

24. Nicolet 2000: 19. Full disclosure: I have excised the rest of the quote, in which Nicolet admits to doubts as to whether such a project is possible for Rome of the second century BCE.

25. Morstein-Marx 2009: esp. 117.

are few inevitabilities in who the winners will be, and even fewer in the question of how exactly the winners will go about winning. I cannot better Hopkins's framing of the problem:

Institutions necessarily competed with each other for society's resources, whether these resources were expressed in terms of pay, prestige or personnel. The circumstances of this competition [at Rome] were quite exceptional for a pre-industrial society. A pre-industrial society can be defined, not merely as a society whose major source of energy is the muscle power of men and animals, but also as a society whose very small surplus production is bespoke, embedded, routinely used for the same purpose, year after year. But Roman society, because the fruits of conquest were being heaped into Italy, temporarily escaped from some of these limitations. It had massive resource availability, for which there was no traditional allocation in society. These resources were "free-floating." Romans therefore faced the new and bewildering problem of how these resources were to be used, and for whose benefit. We know one answer: the rich grew richer.²⁶

Given that the problem of who became wealthier is simple enough, the more salient questions ask how exactly they did it and what the socioeconomic effects of the process were. In this book, I examine three aspects of the ways in which Romans distributed their extraordinary imperial profits: first, I trace the decisions determining which parts of society succeeded or failed in benefiting from the collective endeavor of imperial expansion; second, I show how and why Romans adopted their particular course in this; third, I seek to demonstrate at least some of the effects of this redistribution on Roman social and political history.

My own approach to understanding how wealth and politics interact owes a great deal to the works of Goldscheid, Schumpeter, Levi, Tilly, and others who have contributed to a field commonly dubbed "fiscal sociology."²⁷ The central premise of this "school" is that the holders of accumulated resources enjoy a strong bargaining position vis-à-vis other members of society and, in particular, whatever ruling or state regime might be in place. The most renowned application of this insight has been in explaining the rise of the modern nation-state. As the costs of wars rose in the seventeenth to twentieth centuries, so the

26. Hopkins 1978: 90. See also Brunt 1988: 73–4 and Veyne 1990: 203, where the elite is "glutted with money."

27. The classic examples are Goldscheid 1958, Schumpeter 1991, Levi 1988, and Tilly 1990, though Tilly produced a slew of publications on the topic. Convenient summaries can be found at Moore 2003, Blanton & Fargher 2008: esp. 112, and Martin et al. 2009; throughout the collection at Monson & Scheidel 2013, and on Schumpeter alone, Musgrave 1992. For a history of the field and its German origins, see Backhaus 2002. There are other conceivable approaches to the interaction of state and taxpayer: see Herb 2003, for example, in which rulers try to legitimize taxation through concessions like political representation.

argument goes, public revenues had to increase in lockstep, and rulers' desperation for new taxes enabled taxpayers to demand concessions like political liberalization, enfranchisement, and the various public infrastructures associated with the developed world.²⁸

That will obviously not be the tale told here—Rome was no modern nation-state—yet the processes and mechanisms are nonetheless relevant. Far from increasing the dependence on citizen taxpayers, Roman wars brought tax relief. The Roman treasury had traditionally been funded by a tripod of revenues: indirect taxes, tolls, and customs dues; the leasing of public property; and a property levy known as *tributum*, which was paid in years when military circumstances deemed it necessary. This last revenue source was as close as the Romans came to a direct tax. It was paid by relatively well-off citizens as a percentage of overall wealth and—though this seems to have been rare—was notionally liable to be returned to citizens if the treasury was in a position to do so.²⁹ As the primary fiscal contribution of the Roman citizen, it required that those who were not called up to serve in any given year contributed to the war effort by funding those who were enrolled in the legions, and it appears not to have been trifling. Recent fiscal studies have argued that it was “the financial bedrock” of Rome’s fiscal system, while later annalists believed it to have been the cause of social unrest.³⁰ It was, however, indefinitely suspended after the conquest of Macedonia in 167, and even indirect tolls and customs dues (*portorium*) were ended in Italy in 60.³¹ According to fiscal sociologists, the presence or absence of taxation should have affected the relationship between leaders and citizens, since it defined part of the former’s dependence on—or independence from—the latter. Was that the case? The question brings to the fore the relationship between political power and economic resources, and hence forms a cornerstone of this book’s argument.

The starting point for this line of inquiry differs from that of the “consensus school” mentioned earlier. A contest for finite goods implies negotiation, conflict,

28. Tilly 1990 remains the quintessential version of this story.

29. The most widely accepted reconstruction of *tributum* can be found at Nicolet 1976, with 1980b: 155–60 and Nicolet 2000: 73–6. This model is followed and further refined at Rosenstein 2016b, while Naco del Hoyo 2003: 57–65 offers a learned examination of *tributum* and related terms.

30. Rosenstein 2011: esp. 136; Rosenstein 2016a and especially 2016b, with Taylor 2017. No extant source was written in the age of *tributum*, but for the pain it was believed to have caused, see Livy 2.9.5–6, 5.10.3–9, 5.12.3–13, 5.20.5–8, 7.27.4, 10.46.6. Its reprieve could be portrayed as a sign of patrician benevolence (Livy 2.9.6). See also the narrative of the first plebeian secession at Livy 2.23.1ff., where a *nexus* fails his debt repayments because of untimely—and anachronistic—*tributum*.

31. For general accounts of developments in Roman taxation during the Republican period, see Frank 1933, Naco del Hoyo, 2003, Wolters 2007, Hin 2013: 269, and Rosenstein 2016b: esp. 82–4. The end of *tributum*: Plin. HN. 33.56. It was almost certainly abolished to demonstrate the profit of the recent wars. The end of *portoria*: Cic. Att. 2.26.1; QFr. 1.1.33; Dio Cass. 37.51.3–4. Various reasons are given, from Frank 1933: 140 (‘they were not worth the annoyance they cost’) to Carcopino, cited approvingly at De Laet 1949: 59, that Nepos was illustrating the magnitude of Pompey’s new Eastern revenues by giving up local ones. Thus, Pompey did for *portorium* what Paulus had done for *tributum*.

and concessions. It asserts that actors are not condemned to reproduce political interactions ritualistically, but that they periodically perceive them more as bargains or transactional sites. It requires an element of attack and defense that in turn requires from all those involved a certain autonomy and tactical flexibility—a strong agency allowing people to manipulate or reinterpret their cultural cages. In this sense, my work has something in common with a stream of Roman historical scholarship emphasizing the battle of ideas, the explosive oratorical contests, and the genuinely political nature of Roman public life. Millar, Yakobson, and Wiseman, for example, have presented a reconstruction centered on an image of a speaker having to persuade a discerning citizen audience. These citizens could choose between alternatives and could throw meaningful support behind the people and causes they advocated.³² While these scholars come to conclusions that differ from my own, the logical origins are closely related and the influence of their works will be obvious in the last three chapters of this book.

In what follows, I argue that Roman citizens were perfectly capable of understanding how much and how little bargaining power they enjoyed. When the political elite needed something from them, they could be much more assertive, but when their hand weakened, they could decide on a more submissive course. Calculation affected how they interpreted the accepted modes of political interaction, and much of that calculation depended on the flow of money in the form of taxation.

Central to this study are two terms that require clarification. The first is “tax” and the related “taxpayer” and “tax base.” As just discussed, Rome’s fiscal survival down to the second century hinged on *tributum*, an ad hoc levy called for when military circumstances required it—which seems to have been often—and that was notionally a loan to the state (though it was only rarely paid back). *Tributum* was not by definition a tax, but it played the same role as direct taxation, and the burden of contributing it should not be underestimated. I will refer to *tributum* as a tax throughout this book because it was the fiscal equivalent of a tax—that is, a source of public revenue contributed by citizens—and because the term “tax payer” is far clearer and more convenient than any alternative.

A lengthier discussion is required to elucidate my use of the term “state.” Since Meier’s *Res Publica Amissa* of 1966, many Romanists have exhibited justifiable discomfort with a strict division between state and society. This is because they see the conventions of the aristocracy as the tuning fork for all of Rome, ruling out the emergence of an autonomous state insulated from the rest of society. The state, in other words, was an apparatus or extension of a

32. Millar 1998 and the collected papers (especially Millar 1984, 1986 and 1989) at Millar 2002a, with Wiseman 2009: ch. 1 for the clearest and most forthright encapsulation of his position. See also Yakobson 1992, 1995, 1999, 2004, 2010.

prior aristocratic establishment. Meier himself described the Roman Republic as *monisch* (monist, unitary, or homogenous), with no separations between the political, the religious, the social, and the economic.³³ Hölkeskamp has sought a conception of “state” whose “main advantage” is that it “avoids opposing it to ‘society.’”³⁴ This is because he identifies a fundamental consensus (*grundkonsens*) that underlay Roman society and required no alternative, binding, universal rule maker. Without the need for new rules and rules enforcement, there was no place for a state.³⁵ There can be no doubt that this insight has borne tremendous fruit in the examination of the aristocracy’s often abstract dominance of Roman political culture, but there are prices to be paid for such invisibility.³⁶ Chief among them is the inadequate distinction between private and public resources.

The collapsing of the divide between state and society dulls the distinction between, say, one aristocratic family fighting its own private war and the Roman people fighting a collective one. Each may have been governed by common values or mentalities, each may have been led by the same well-bred men, but the resources matter. If a leader wanted 16,000 legionaries and wanted not to be personally responsible for the immense costs of a fleet, his only recourse was to state office and to the state’s resources. The soldiers he led—most of whom, as farmers removed from the urban spectacles of *contiones*, triumphs, and grand public art of the Forum were not so prone to be influenced by Rome’s most powerful semiotics—did not muster for him on the basis of his own personal splendor.³⁷ They joined because of a centralized entity represented by the legionary standards, and they expected to be paid not from the commander’s own estates but from the treasury of the Roman people. If this one commander left office and was replaced, they stayed in camp and served the next aristocrat, still funded and supplied by the same fisc. To understand the role of resources in enabling the strong and varied actions of the Roman collective—to understand

33. Meier 1980: esp. 42–60, with the comments at xxii–xxv in the second edition and the discussion at Walter 1998 and Hölkeskamp 2010: esp. 14–7. Eder 1990: 19 refers to “die Einheit von Staat und Gesellschaft,” and Brunt 1988: 299 argues that “Neither Greeks nor Romans conceived the state as an impersonal entity which could be sharply contrasted with the individual citizen.” See also Mouritsen 2013.

34. Hölkeskamp 2010: 67–8.

35. Hölkeskamp 2004a: 247–8; Hölkeskamp 2010: esp. 44–5 and (on the concept of the state) 67–70, with references. The need for this kind of rule making in complex societies is discussed well at Mann 1984: 195–6, and at Runciman 1982: esp. 373–7. Goldstone and Haldon 2009: esp. 22 argues that preexisting organizations “coalesce at a higher level” into state systems of resource redistribution —this metamorphosis seems to me a sensible way to visualize the link between state and society. The prominence of the state within modern social science has not been a constant, and in the postwar period various schools of thought underplayed its autonomy. For discussion of the various approaches, see Mann 1984 and Skocpol 1985, themselves important contributions to the debate, as well as Migdal 2001 and 1998.

36. Moreover, the state is never entirely detached from society but always exists both within and outside of society. For the challenge of theorizing and negotiating this problem across the spectrum of the social sciences, see Jessop 2007: 1–2.

37. Erdkamp 2007b: 97. For a rich survey of the city’s ideological tapestry, see the excellent treatment at Hölkeskamp 2010: ch. 5.

the practical relationship between, for example, Rome and warfare—there simply has to be an accumulation of state resources that are distinct from those in the rest of society. And to acknowledge that accumulation, there simply has to be some concept of state that is distinct from the rest of society.³⁸

How, then, to employ the term “state” without transgressing the undeniably monist aspects of the Roman Republic? Conventional definitions of the state derive from Weber’s and look something like the following: a centralized collection of institutions that monopolizes the setting of binding rules and the legitimate coercive right to enforce them within a demarcated territory.³⁹ Scholars have long understood, however, that this is more an ideal type than a definition. No state has ever actually achieved a monopoly of legitimate coercion, and to the extent that any has, it is so narrow a sample as to rob the definition of any broad applicability.⁴⁰ Such a conception of state, does, however, permit the construction of a spectrum of “stateness,” in which the terms of Weber’s ideal state occupy an extreme end. Within the confines of this book, I define institutions, actors, and practices as belonging to the state *to the degree to which* they employ centralized, public resources (be they money, ships, legionaries, or anything else furnished in the name of the Roman collective) and are subject to those specific institutions and rules governing their use. This is far from a definition, but it does furnish the means to study the state–society duality from a resource perspective. Resources allow the focus to move from what the state is to what the state does, or as Routledge puts it, to shift the question from what the state is to how it exists.⁴¹

Take two transactions as illustrations. A woman buys bread from a baker. She alone decides whether to buy bread, how much bread to buy, which baker to visit, and which loaf to buy, and she alone leaves the store with less money than she had when she entered. On the other hand, take a magistrate administering Rome’s public grain dole. He was obliged by law to purchase grain for the citizen residents of Rome, even if he himself vehemently disagreed with the program. He was bound, at least after the *Lex Terentia Cassia*, to source that grain through

38. On the importance of office versus personal status, see the discussion at Walter 1998: esp. 23–4, with an enlightening reading of Livy’s Bacchanalian episode at Haimson Lushkov 2015: 24. Office in this context essentially means *imperium* (the authority to give commands and dispense corporal punishment), and this topic has received plenty of attention. Beck 2011 is a good place to start, but is reflective of the norm in that it presents its perfectly sound arguments about *imperium* as a way for the elite to apportion prestige without asking what it meant to the thousands of soldiers who respected it. On the indivisibility of state and warfare at Rome, see Serrati 2007. Brunt 1968 was the first to identify the economic implausibility of Meier’s work, and though Brunt’s criticisms were respectfully dismissed at Hölkeskamp 1993: 13–4n4, and though demographic studies have rejected parts of his reconstruction, they nonetheless deserve attention.

39. For definitions of and approaches to the state in an ancient context, see the thorough survey of Scheidel 2013.

40. See, for example, Mann 1984: esp. 187–8, Scott 1998: esp. 87–8, Migdal 2001: 14, and Hölkeskamp 2010: 67–71.

41. Routledge 2014: 11.

fixed mechanisms in Sicily.⁴² Yet, he lost no money himself, since the treasury covered all the expenses. The purchase would have happened whether he liked the program or not, whether he was old aristocracy or newcomer, whether he himself occupied the office or some other individual were in his place. He as an individual is more or less meaningless, and his own wealth plays no role except perhaps by qualifying him for his office. The grain dole represented a state commitment backed by state resources, and in that sense it embodied something that transcended the individuals in office.

This introduces a second point. The grain dole's independence from the annual magistrate who executed its functions reminds us that there existed a collection of practices numerous enough and far enough along the spectrum to earn the label of "state." For a state is not simply the personnel who man its desks or perform its tasks—a state can never be entirely reified. A state comprises a multitude of obligations, provisions, commitments, and actions—practices, in short—that remain more or less constant regardless of the agent in charge at any moment.⁴³ The grain dole is one example. Another can be seen in the prows recovered from the Egadi Islands, which have cast into them the names of the quaestors who approved their manufacture by contractors: for example, "Lucius Quinctius, son of Gaius, quaestor, approved [this ram]."⁴⁴ It should come as no surprise that Quinctius wished to splash his name on the prows—or that Roman aristocrats perpetually embraced a rhetoric that advertised their own roles in executing state functions—but that should not distract from the fact that it is the word *quaestor* that empowered Quinctius to approve the prow.⁴⁵ Whoever had won election to the quaestorship would have been responsible for ensuring that public money was spent effectively, that the war machine rolled on, and that the provision of prows was uninterrupted. The contracting for ships, the inspection of the delivered vessels, and their deployment at sea all represented state acts that were independent of the individuals who executed them at any given moment. Imagine for a moment the confusion if Quinctius left office and a year later tried to place an order for a couple of hundred new prows: the poor contractors would not have known what to make of this presumably befuddled (though impressively high-rolling) ex-quaestor. It was purely Quinctius' position within the state that brought him into the market for warships. The same case could be made with respect to the execution of legal procedures, the provision of armies, the performance of religious rituals, the fulfilment of contracts with those who maintained temples, and so on. Together these acts represented practices that occupied the strong end of a

42. Cic. 2.Verr. 3.163.

43. Migdal 2001: 15–6, Foucault 2007: 276–7, Routledge 2014.

44. Egadi 7, 8, and 10, at Prag 2014: 39.

45. On the prominence of aristocratic individualism in Roman political communication, see Morstein-Marx 2009: esp. 116–7 and Russell 2013.

spectrum of “stateness” and that were numerous and regular enough to constitute something that deserves the label of state. This state could vary over time in its depth, its breadth, and even in the degree to which it embodies “stateness”—the same could be said of all states—but that change represents its historical development. Far from negating the concept of the state, these peculiarities provide the historian with something to study.

Not all practices, of course, clung to the very ends of the state spectrum, and any conceptualization of the state requires accommodation of that fact.⁴⁶ It is partly for this reason that preferring degrees of “stateness” over an exclusivist definition has several advantages. First, by refusing to impose a strict definition of the state, it acknowledges the truth that there was an unusually blurry divide between state and society in Rome.⁴⁷ It even facilitates a way to conceive of the flexibility with which leaders exercised different legitimacies and resources in different ways on different occasions. Second, it allows for change over time, since the state’s own degree of “stateness” changed from decade to decade—the Roman state of 264, in other words, does not have to meet the same definition as the Roman state of 133. Finally, this conception more accurately captures the way state agents could slide along the spectrum as they saw fit. Magistrates could contribute their own money to public games to pull the event more toward their own personal responsibility.⁴⁸ Governors could move themselves toward the state pole to gain access to the state’s awesome coercive powers, but could slide back away from it when it came to “privatizing” revenues. By moving back and forth across the spectrum, state agents could use the state to shake down provinces, but could claim to be private individuals when it came to pocketing the spoils. Some transactions were very much embedded in the state, while others were not. The important point is not that there was no divide between state and society, but that leaders could choose how they would characterize each activity so as to benefit themselves. Without a concept of the state as its own domain, it is impossible to appreciate how these leaders used the state’s *public* resources to generate their own *private* profits. The concept of a divide between state and society thus brings to the fore the all-important processes of *centralization* and *decentralization*.

I would argue that the dominance of the aristocracy only makes sense if the concept of a state is presupposed. Given that soldiers did not fight for aristocrats, that legions were not funded by aristocrats, and that provincials did not pay taxes simply because the governor was an aristocrat, I see no way to understand how a purely social focus can make sense of Rome’s fiscal reality. What needs to be explained is not whether there was or was not a division between state and society,

46. For such “qualifications” of the ideal type of state, see Migdal 2001: *passim* and the clear discussion at Jessop 2007: 7–11.

47. Hence, the use of a similar public–private spectrum at Russell 2016: esp. 156 and the reference to Pompey’s successful claim to “personal control over political space.”

48. Veyne 1990: 208–10.

but how Rome's aristocrats managed to manipulate that boundary for their own advantage. Cultural norms play a major role in that debate, but there is much that a financial focus can contribute. The Roman state possessed a horrifyingly high capacity in certain fields (e.g., building roads and killing foreigners), but owing to the dominance of the ruling aristocracy, it enjoyed only a low degree of autonomy. In other words, it was weak when it came to restraining Rome's leaders and preserving its own interests. As remarked earlier, however, this low autonomy does not invalidate the state concept. It merely provides a variable that distinguishes the Roman state from other historical states and makes it more interesting.⁴⁹ The focus in the chapters to come will be on how elite Romans shaped this state. They had such control over it, yet they did not make it the strongest state possible and conceive of its interests as their own. Instead, they captured it and used its resources to achieve their own ends, all the while stifling it and preventing a thicker, more autonomous state from competing with their own leadership.

The six chapters of this book are grouped into two parts. The first part asks who seized control of the empire's economic spoils, who did not, and how the "winners" won. The second part looks at three different case studies, asking how the financial realities of expansion affected—even drove—Rome's history.

Chapter 1 looks at the empirical evidence for enrichment and capacity at the two ends of the spectrum: Did private estates extend their economic power further than the state did? Few would be surprised that private wealth exploded in the third and second centuries, but it is also worth examining the relative stagnation of the state, its resources, and its capacity to affect the lives of people living in Italy. The reason for this discordant growth, I argue, was that the Roman "constitution" severely limited the control that individual policymakers could exercise over public wealth. In the absence of a king, a president, a prime minister, or even an archon or strategos who could repeatedly hold office, there was no stakeholder who saw any personal benefit in a strong treasury. Even the most successful leader would only enjoy the right to spend public money for a few years in an entire career, and so there were strong incentives to limit the state's share of imperial wealth and to "decentralize" it into the various private estates of the elite.

There is plenty of evidence that the Roman elite made money in all kinds of enterprises, but such broad enrichment is not the focus of this book.⁵⁰ Managing the empire was a gold mine if one knew how to reap its rewards without sharing too much with the treasury. The key to ensuring that state profits were low and private profits were high was to widen the gap between gross taxation (what the

49. See Nettl 1968 on "the state as a conceptual variable" and Migdal 1988 on states captured by elites. Brunt 1968: 230 still frames the issue excellently, with Mann 1986: 267. Mouritsen 2013: esp. 390 emphasizes the "very limited scope" of the Roman state and consequently dismisses the applicability of the concept.

50. Kay 2014.

provincials handed over) and net taxation (what the treasury actually received). The next two chapters together examine the process of widening that gap.

Chapter 2 examines the Romans' unusually enthusiastic adoption of tax farming, and asks why it was so appealing. There were various reasons why tax farming was used in any given case—often, as in the Sicilian instance, the Romans simply took over a preexisting institution—but their perseverance with contracting also brought real benefits to the elite. By capping the state's share of revenue at the price of the contract, tax farming placed a ceiling on the treasury's entitlement to imperial profits. This freed other Romans to increase gross taxation without simultaneously increasing net taxation.

Chapter 3 focuses on two ways in which governors and their associates made perfectly legal private profits in the course of provincial administration: the forcing of provincials into interest-bearing loans and the manipulation of legitimate fees and contributions for the maintenance of the governor's administration. These allowed Roman state agents to turn payments to the treasury into private financial transactions, or again, to increase gross taxation without increasing net taxation. In both methods, it becomes clear that the aristocracy could not make its private profits without using the state's legitimacy and coercive powers to force contributions from provincials. It was the leader's ability to shift between state and society—to move across the spectrum—that facilitated private profits.

The final three chapters—part II—look at three critical moments in the fiscal history of the Roman Republic. Chapter 4 examines the First Punic War, the tremendously expensive conflict in which Rome first sent major fleets into battle, and chapter 5 looks at the Second Punic War, when Hannibal brought Rome to the brink of political extinction. These two wars predate the establishment of a profitable empire, and thus still involve a Rome reliant on the domestic revenues of taxpayers. Close examination of politics during these epic struggles reveals a citizenry with a loud and assertive stake in decision making, and a leadership that, given its all but total reliance on taxpayer consent, was poorly positioned to ignore the voters. Aristocratic splendor was real and the authority of the leadership was especially clear during the darkest days of Hannibal's invasion, but fiscal realities made the citizens impossible to ignore.

Chapter 6 deals with the first fiscal crisis of the imperial Republic: the tribunes of the Gracchi. Two brothers, Tiberius and Gaius Gracchus, employed the state's economic resources to benefit wide swaths of the community, but each was killed for doing so. Why was hostility so extreme as to be murderous? I argue that by using the state to remedy social ills, the Gracchi were threatening the balance between private and public entitlement to the empire's riches and, by extension, the privileges and even identity of the Roman elite. A conclusion and epilogue tie the pieces together and provide context for the fall of the Republic in the first century.

The intellectual focus of this book is on the mid-second century, when the empire was established and Romans were finding their feet as the new masters of East and West. This claim will no doubt strike many as odd, given that of the six chapters just described, at least four focus on the third and first centuries. That, however, is where the sources are and sources have gravity. Instead of fighting that gravity, I have used the evidence of what came before and after to reconstruct the middle. The process is akin to finding out what happens in a tunnel by examining a train before it enters and after it reemerges. Thus, the book fails to remain in the one period. The thesis should, however, survive the apparent incongruence of its chronology.

I argue that the Rome that embarked on overseas conquests was a society in which citizens were bound by social and economic inequalities to respect their leaders, but in which leaders were beholden to a citizen body that alone could furnish the tax revenue and military manpower needed for the wars the aristocracy so desired.⁵¹ As Rome conquered more and more of the Mediterranean, however, the new wealth on offer broke the cohesion of that relationship. New revenues allowed the Romans to cancel direct taxation in the form of *tributum*, and this gave the elite a much freer hand in how they managed affairs of state. They manipulated the empire for ever greater riches and ensured that the state, which was the obvious means to a broader distribution of profits, did not enhance its profile in step with the arrival of new wealth. They never, however, succeeded in establishing a rationale for their disproportionate claim to new wealth.

In the resulting vacuum, figures like the Gracchi could redeploy the old taxpayers' conception of the treasury as theirs to use and enjoy, while their opponents could cite a string of recent traditions that prioritized a lean state and a laissez-faire approach to carving up the empire's profits. By the end of the Republic, the elite's control of imperial wealth was so extreme that the citizenry had only a few options for securing a part of it: they could agitate for political measures like grain doles and agrarian reform, or they could attach themselves to the great houses. Control of the new economy thus strengthened the elite's hand. Thousands of Romans would do what they needed to do for a share of elite wealth, but all they had to offer was political support and manpower.⁵² It is little wonder that this saw more and more willingly deployed for political violence. As Ahenobarbus demonstrated when facing Caesar's vanguard, vast wealth allowed leaders to bargain for soldiers' support. Any understanding of what happened that day in Corfinium will be based on developments that run through the whole process of conquest.

51. On the centrality of warfare to Rome's leadership, the bibliography is vast, but see especially Harris 1979, with Hölkeskamp 1987 and 1993. On the citizens' indispensability, see Cornell 1993: 155–6.

52. Brunt 1971 and 1988.

The Argument

Although Rome's ruling aristocracy had long enjoyed social and economic supremacy, this did not give them complete freedom of action when it came to political affairs. The greatest limitation on their autonomy was due to their dependence on the state as the vehicle for their career ambitions; waging war, for example, required a publicly endowed magistracy and was obviously impossible without the men, ships, money, and other military resources of the state. It was only through the state that leaders could access the vast manpower and wealth of the legions. Until the great expansion of the second century, moreover, the state could only source funding for that army from the Roman population. Without the Roman citizenry—and especially the relatively well off citizens who paid the ad hoc war levy known as *tributum*—the state would have no funds. The elite would consequently have no army to lead and no war to win. There was, therefore, a chain of dependence running from elite to citizenry. Rome's leaders relied on the state and its role as the depository of Rome's military resources, and the state in turn relied on the people's cooperation in providing those resources. This meant that, so long as the treasury relied on *tributum*, the consent of the citizenry was fundamental to the successful execution of any major policy and the people could—and did—leverage that indispensability. Politics in the third century, therefore, featured a strong element of popular control.

This was not, of course, the ideal situation for Rome's aristocrats. There were two ways for them to ameliorate their situation and achieve greater autonomy: minimize the state's reliance on citizen resources and minimize their own reliance on the state. Rome's conquest of the Mediterranean made each of these options feasible for the first time. Imperialism brought wealth, and by distributing this wealth in certain ways, the elite could recalibrate political bargaining power. *Tributum* was indefinitely suspended after the conquest of Macedonia in 167, and this gave the state freedom to pursue any policy without the contributions—and hence without the consent—of citizens. Yet even after *tributum* was cancelled, there was still more wealth to distribute. Once they were confident that the state enjoyed sufficient revenues to sustain its traditional functions, Rome's leaders pursued policies that channeled as much of the empire's profit

into their own estates as possible, since this allowed them to enjoy the incredible new surplus without having to play by the state's rules. No longer would access to the great cache of Rome's resources be limited to those who held office in any given year; no longer would it require permission from peers in the senate, who enjoyed oversight of the treasury. No longer, moreover, would the state be the only institution capable of providing public goods or alleviating social problems; elite families would also enjoy the resources needed for such paternalism. By controlling the distribution of imperial wealth, therefore, the aristocracy ensured that the people had diminished control over the state, and that the state had diminished control over the elite. Imperialism, and the riches it delivered, brought Rome's illustrious aristocrats a freer hand in exercising their social, economic, and political dominance.

PART I

Rich Rome, Poor State

Even Cato the Elder—who once claimed that the three best ways to make a living were to raise cattle successfully, raise cattle successfully enough, and raise cattle poorly—would have balked at the pastoral enthusiasm of the Mongols. During a debate over how to exploit the conquered lands of northern China, for instance, one councilor earnestly suggested that the dense agrarian population simply be killed off and that the entire region be converted to pasture. Fortunately Ögödei, son and heir of Genghis Khan, was persuaded by his top Chinese official that an agricultural tax on the existing population would yield far greater profits. Genocide was averted.¹ The regime embraced Chinese bureaucracy and so this branch of the Mongol state, although already moving in a more intensive direction, left much of its nomadic origin behind. It began to measure and intervene in agricultural production to maximize its own revenues. As the Chinese official, Yelu Chucai, had predicted, the treasury grew richer as the state grew thicker. The way in which Mongol rulers did their business was transformed.

There tend to be two ways in which public wealth leads to more bureaucracy, and the Mongol example demonstrates the first way: the quest for greater revenue requires a better equipped state in order, first, to measure the tax base, then, second, to calculate what it is owed, and, third, to engage in the onerous task of collecting its dues. The state therefore expands its powers in the quest to increase its wealth. At the other end of the spectrum, however, it can be the spending of wealth that stimulates state growth. A rentier state like Saudi Arabia, for example, derives almost all of its income from oil exports and so has little need to record or collect the taxable income of its citizens. Bureaucracy tends nevertheless to expand in this kind of state because rulers need ever more agencies and departments to distribute the lavish spending that is so integral to keeping the population loyal. The masses become clients of the ruler as they increasingly rely on employment, welfare, investment, defense, education, legal services, and other forms of government expenditure. Far from discouraging

1. Cato: Cic. *Off.* 2.89. Mongols: Allsen 1994: *passim*, but 375–6 for the specific anecdote.

state creation, therefore, the windfall profits of the rentier state demand institutional growth to assist in the distribution of patronage.²

The Mongol and Saudi Arabian examples offer two divergent paths to the same outcome. The Mongols developed a thicker state in order to raise more money, while the Saudi Arabians developed a thicker state in order to spend. In either case, greater riches entailed a thicker state. The purpose of this chapter is to establish whether the same process—the expansion of the state in response to new wealth—can be identified at Rome. The conclusion will be that, despite clear evidence that economic resources were flooding into Italy, the state only grew in the most modest of ways.

There are two obvious objections to this claim. The first is to deny that the state failed to grow in the course of expansion. How could Rome have progressed from governing central Italy to ruling the Mediterranean if it did not strengthen its state? Rome certainly increased the number of legions in the field, for example, but this was merely the replication of its traditional and well-accepted role. Only rarely did it also add previously unknown institutions or enter into parts of its citizens' lives to which Romans were hitherto unaccustomed. Upon the Republic's demise, moreover, Augustus took little time in demonstrating that there were vacuums for the state to fill—he improved food supply, water supply, and the maintenance of public buildings in three examples discussed below—and the tendency of the Republican political leadership to tolerate such vacuums is worth examining.

The second objection might be that a thin state was the norm for a preindustrial European city, and that it therefore requires no explanation. There are two problems with this view. The first is that the Romans had long left the city-state paradigm behind.³ They may have persisted with the political institutions of a *polis*, but in few other areas can the category of city-state remain valid. In the scale of their new wealth and the range of their governmental challenges, Romans became comparable only with the greatest ancient empires. It is not self-evident that Rome ought to be likened to Athens or Syracuse rather than Persia or Egypt. The second—and more important—problem with appealing to a city-state norm is that the Romans' stubborn refusal to change their institutions was itself a decision requiring examination. That is, even if this decision were uncontroversial, the processes, dilemmas, and strategies that preserved Rome's thin state all remain in need of explication.

Such an endeavor is important because it illuminates the socioeconomic response of the elite to its new empire. Imperialism brought wealth with no

2. For more on rentier states, see the conclusion that follows. On the bureaucracy arising in these rentier states, see Chaudhry 1994: 18, Beblawi 1987: 55, and Moore 2003: 15–6. For a history of the Saudi Arabian state and its growth, see Al-Rasheed 2002.

3. Brunt 1988: 71.

assumed allotment; there was no group whose claim to it was already well established.⁴ In this context, directing that new wealth to private estates was no more or less “natural” than directing it to the state that worked so hard to carve out Rome’s new empire. Without establishing who benefited from the spoils of conquest, it is impossible to launch any study of imperialism’s socioeconomic character.

To make the case that wealth was directed toward elite households instead of the state, I will first trace the growth in private fortunes across the last century and a half of the Republic. It is uncontroversial to claim that elite estates grew wealthier in this period, but—especially for the nonspecialist—it is still worth setting out the evidence and establishing some kind of growth axis against which to measure the state’s enrichment. There is, moreover, important evidence that less distinguished entrepreneurs joined the game of capturing Rome’s imperial profits; enrichment emerges as a broad societal trend. The assumption behind this examination will be that an increase in material resources entails an increase in capacity, since it stands to reason that ambitious individuals will, if granted greater resources, apply them in their quest for greater and greater influence. It would be uncontroversial to say that the super-wealthy Romans of the Late Republic could do things—economically, politically, militarily—that their poorer ancestors could not, and this is why the first section of the chapter deals with levels of wealth without attempting to translate that into any measure of power. I will assume, that is, that increased wealth will be a reliable proxy for increased capacity on the part of private individuals. Such a view is sound not only from an *a priori* perspective. The new and unprecedented wealth of Pompey, for example, transformed the ways in which he could exercise influence. He was the creditor to kings and the benefactor of his legates and supporters. The volume of Dressel 1A amphorae from the 60s bearing his name, moreover, suggests that he could supply his army and navy from his own estates, implying a productive capacity so impressive that he became a war machine independent of the state’s material support.⁵ Caesar, too, could produce all the arms for his legions, while Crassus, revealing the equivalence of public and private wealth in all too chilling a tone, defined wealth as the ability to support a legion on one’s income.⁶ These are the great men whom Crawford has labeled as “alternative states.”⁷ Increased wealth plainly entailed increased capacity.

What of the actual Roman state? The second (and larger) section of the chapter has to do with the relative stagnation of the Roman state’s capacity.

4. Hopkins 1978: 90.

5. Manacorda 2005, cited approvingly at Crawford 2008: 638–9.

6. Dio Cass. 40.60.1; Plin. *HN* 33.134, with Whitehead 1986 and Crawford 2008: 638–9.

7. Crawford 2008: 636.

How to demonstrate this? In the absence of a unit of “stateness,” how can anyone assess growth in the capacity of a state? There are two ways in which to analyze the problem. The first is to trace any growth in public wealth (the state’s inputs), since this reflects both the state’s success in capturing imperialism’s profits and its material ability to affect the world around it. The second is to look at the state’s various activities (its outputs), which can be evaluated along either institutional or functional lines. Did it expand its wealth, its institutions, and the functions it performed? Growth in the state’s footprint would not only be a reflection of increased resources but, more to the point, would also be the true test of whether any increase in wealth was translated into increased capacity.

In what follows I set out a claim that will be developed throughout later chapters: In the competition for resources and autonomy, the state lost because, in an oligarchic society, leading senators saw nothing to gain by expanding the footprint of the state. It would not be until autocracy returned to Rome that a ruler would perceive advantages in a stronger, thicker state.

PRIVATE RESOURCES

The first task is to consider the evidence for the enrichment of private individuals during the centuries of rapid imperial expansion. What was the scope, the scale of the resources pouring into Roman estates? The nature of our evidence means that we only see the occasional snapshot of a household’s finances, and this paucity of data rules out any direct comparison between the estates of contemporaries, or between generations of the same family. Surviving sources tend to feature brief snippets about elite wealth, whether in a valuation of a total estate or in brief accounts of land holdings, dowries, or other transactions. Often the most that can be relied upon is the unexpected fleck of data on elite wealth—we learn, for example, the esoteric fact that the fishponds of L. Lucullus yielded 4 million sesterces per annum in income. The challenge is to collect enough of these titbits to garner some sense of how private wealth grew over time.

Most of the evidence for private wealth has been laid out in detail by Shatzman, and there is no point in reproducing it in detail here.⁸ Rather, I attempt to establish the degree of enrichment that took place between roughly 200 (the earliest period for which there is reliable data) and the collapse of the Republican order in 49. By placing anecdotes about private wealth in relation to each other, I will attempt to illuminate the trajectory and scale of private enrichment through the period of the Republic’s great expansion.

8. Shatzman 1975, including a person by person guide to the sources for each estate. See also Frank 1933 and Kay 2014: *passim*, but esp. 194–5 and 288–94. On the issue of economic evidence in this period in general, see Kay 2014: 2–3.

The Wealth of Aristocratic Estates

P. Cornelius Scipio Africanus, conqueror of Hannibal, was consul in 205 and 195, and his estimated wealth was something in the order of 5 million sesterces.⁹ This is nothing to sneeze at, but it pales in comparison with the estate of P. Licinius Crassus Mucianus, consul six decades later (131) and worth over 100 million sesterces.¹⁰ There is an obvious problem here. Mucianus was likely the wealthiest man of his time, while Africanus was merely reflective of the upper aristocracy as a whole.¹¹ The comparison really needs Africanus's wealthiest contemporary, and that man may well have been his consular colleague of 205, P. Licinius Crassus Dives (the name Dives translates as "wealthy"!). As luck would have it, Mucianus inherited most of his money through his adoptive paternal line, going back to precisely this P. Crassus, consul of 205. This evidence therefore tells us that Dives's estate would be worth over 100 million sesterces around seventy years later. If it had not grown in that period, then we would have to believe that the renowned Scipio died with roughly 5 percent of his colleague's wealth. This, while impossible to disprove, seems implausible.¹² Significant increases in wealth can also be traced to a third example. By 55, M. Licinius Crassus, no relation to Dives or Mucianus, could boast of 200 million sesterces in land alone. To this had to be added mines, loans, an army of slaves, and any number of other unmentioned assets.¹³

These figures do not carry the weight of modern econometrics, but they do give some idea of the exponential scale of enrichment at the top end. These are not incremental increases. Instead, it is plausible to suggest that the wealthiest estates at least doubled every couple of generations in the last two centuries BCE.

9. Shatzman 1975: 246–8, piecing together data from dowries and the grandson's inheritance, comes up with over 4.8 million sesterces. Kay 2014: 35–7 makes a similar attempt and comes up with a figure of over 260 talents (6.24 million sesterces), made up of a 60 talent legacy for Aemilianus, plus 100 talents in dowries paid out to Africanus' sons-in-law and 100 talents received in dowries for Africanus' daughters. Neither figure will be entirely accurate to the sestertius, and in any case the order of magnitude is clear.

10. Shatzman 1975: 253–4. The figure of 100 million sesterces (or 25 million denarii) is from Cic. *Rep.* 3.17.

11. Polyb. 18.35.9–11 praises the financial restraint of Scipio's adoptive grandson, remarking that he was not wealthy, just "moderate in his wealth, for a Roman." This was presumably a reflection of Africanus' own estate. Yet note the qualification "for a Roman." By the mid-late second century BCE, Polybius was well aware that the wealth of the Roman elite had left that of Greek leaders far behind.

12. One must also remember that Africanus himself was wealthier than many other senators, including his father-in-law, L. Aemilius Paullus, whose heir apparently died with less than 1.5 million sesterces in the estate (Polyb. 31.28.1–3). Shatzman 1975: 243–4 hypothesizes an estate significantly more lavish than this low figure would suggest, but it would be folly to think that the Aemilii Paulli were as wealthy as Africanus seems to have been. This would only further inflate the implausibility of a rival estate in the early second century worth 100 million sesterces.

13. The figure of 200 million sesterces can be found at Plin, *HN* 33.134, and Plutarch gives the very similar figure of 7,100 talents after sacrificing one-tenth of it, which would put the original total at 46.86 million denarii, or 187.44 million sesterces (Plut. *Crass.* 2.2). Badian 1968: 81–2 rightly stresses that Crassus' claim cannot be corroborated and depends on our believing his own self-representation. The sources for Crassus' wealth are conveniently collected at Shatzman 1975: 375–8. On his euergetism, Plut. *Crass.* 2.2, 12.2.

Other proxies suggest similar rates of enrichment.¹⁴ Take silver, for example. In 146—the same generation as Crassus Mucianus above—Scipio Aemilianus carried in his triumph from Carthage somewhere around 4,370 pounds of silver. Pliny would have us believe that this was all the silver found in Carthage, yet Scipio's nephew, Q. Fabius Maximus Allobrogicus, was apparently to become the first man to own 1,000 pounds of silver personally. M. Livius Drusus, who died in 91, was then said to own 10,000 pounds of silver, a tenfold increase in one generation.¹⁵ Pliny notes a similar escalation in real estate excess.¹⁶ In 78, the consul M. Aemilius Lepidus built the finest house in Rome, probably out of profits he had made in the dictator Sulla's political purges and during his term as governor of Sicily. Within thirty-five years, Pliny claims, this house was no longer within the finest hundred.¹⁷ We may have some cause to doubt the specifics of these data—Pliny is explicitly trying to illustrate a rise in luxury and may well have been exaggerating—but the overall trend appears to be confirmed elsewhere. Cn. Octavius' house was so fine that it was said to have earned him a consulship in 165, yet M. Scaurus bought and demolished it in 58 simply to provide an extension to his own home next door. He also added four marble columns so large that contractors demanded security lest the underlying sewers break as the columns were hauled up the street. In 53, he sold the house—an unproductive urban residence and status symbol—to P. Clodius for 14.8 million sesterces.¹⁸ If the people buying these houses took out loans, then their creditors enjoyed pools of capital inconceivable in the time of Africanus. Caesar was in debt to the tune of 31 million sesterces, while Q. Considius alone had 15 million sesterces out on loan in the year 63.¹⁹ Compared to Africanus' total estate of 5 or 6 million sesterces, these are stupendous sums.

14. See Kay 2014: 291 for rate of enrichment. Rising expenditure on slaves, luxuries, and funerals is examined at Kay 2014: 204–6, while Volpe 2012 presents exciting evidence for increased investment in agricultural estates in the Suburbium of Rome. Does this demonstrate expanding wealth? Taken in isolation, it is impossible to prove that these proxies do not simply denote changing patterns of investment and/or expenditure; the cumulative force, however, is persuasive. The use of various proxies also helps to negate any concerns about inflation. On depreciation of bronze coinage in particular, see Crawford 1985: 151, and Verboven 2003 on the monetary crisis of 49.

15. Plin. *HN* 33.141, though there is some confusion caused by Pliny's referring to Allobrogicus as Aemilianus' brother instead of nephew; it is possible that Pliny was referring to Allobrogicus' father, Q. Fabius Aemilianus. If melted down and minted, 10,000 pounds of silver would be worth 3.36 million sesterces. See as comparison Plin. *HN* 33.17, which reports a reserve of 22,070 pounds of silver right before the Third Punic War. On Drusus' estate, see Rosillo López 2010a: 180–1.

16. I will only quickly deal with evidence for urban housing here. See Beck 2009: 375 for a few aristocratic home values.

17. Plin. *HN* 36.109. For Lepidus' wealth, see Shatzman 1975: 262. On agricultural lands, Kay 2014: 136.

18. Cic. *Off.* 1.138; Asc. 27C; Plin. *HN* 36.5–6, with Papi 1995a. On the sale of the house, Asc. 32C, with Plin. *HN* 36.103. Shatzman 1975: 291 suggests that the house was only sold because of Scaurus' debts, in which case the 14.8 million might have been a bargain price. Scaurus took the columns from an opulent temporary theatre he had built as aedile in 58. Other luxuries from that project were sent to his villa at Tusculum, where they were lost in a fire that was said to have cost 30 million sesterces (Plin. *HN* 36.115). To that value (just the building and its contents) would have to be added the value of apparently expansive fields (Cic. *Caecin.* 54).

19. Plut. *Caes.* 5.4 and Val. Max. 4.8.3, both cited at Kay 2014: 195.

Two Windfalls: Foreign Wars and Civil Wars

There were multiple sources of this new wealth for the elite, but two stand out: imperial expansion and Sulla's political purge of the late 80s. Each provided windfalls for those best-placed to capitalize upon them, and they require treatment in turn.²⁰

Plunder was only the first of the opportunities for profit offered by the expanding empire. Diplomacy proved itself a cash cow straddling the lines of legality.²¹ During Pompey's conquest of Syria and its surrounds in 65–3, for example, one lieutenant, M. Aemilius Scaurus, had the good fortune of leading a Roman army into a Judaea torn by civil war. Both sides offered bribes for his assistance, and his support earned him nearly 17 million sesterces.²² Pompey's own profits were unsurprisingly even grander. In the settlement of the many eastern lands he subdued between 66 and 63, he had the privilege of deciding which kings stayed in power and which kings were deposed, and two instances illustrate the high price he charged for a throne. In the lands of Cappadocia, Pompey threw his weight behind a king who had been repeatedly deposed by his people. Cicero found a later heir, Ariobarzanes III, still repaying the debt over a decade later: the 33 talents (792,000 sesterces) handed over *per month* did not even cover the interest Pompey was charging.²³ With ceremonial magnanimity, he confirmed the suppliant Tigranes to the throne of Armenia for a fee of 6,000 talents (144 million sesterces), and the eventual sum apparently outstripped even this.²⁴ A further 6,000 talents were paid to Caesar and Pompey for recognition of Ptolemy Auletes' rule in Egypt, and, having subsequently been removed from his throne, the king eventually offered 10,000 talents (240 million sesterces!) to A. Gabinius in exchange for his forceful restoration.²⁵ These payments, it is worth emphasizing, were not paid to the Roman treasury, but into the private purses of the imperators in question.

From these sorts of figures it becomes clear that the great campaigns of Pompey and Caesar brought levels of wealth that were previously unimaginable. At the end of his Eastern Wars, Pompey offered *viritim* bonuses of at least 1,500 sesterces to his infantrymen and 100 million sesterces to each of his senior

20. See also Kay 2014: ch. 8, which makes a strong case for trade and finance.

21. The potential for profiting from diplomatic exploits will be explored further in chapter 3.

22. Joseph. *AJ* 14.80–1, 14.30; Joseph. *BJ* 1.6.3. Josephus claims that the deciding factor in who to support was nothing more than his conclusion about which Judean party was more likely to cough up.

23. Cic. *Att.* 6.1.3. See also Cic. *Att.* 6.3.5, where Ariobarzanes has promised Pompey 200 talents over six months, besides another 100 talents paid to Brutus that year.

24. App. *Mith.* 104; Plut. *Pomp.* 33.4; Strabo 11.14.10; Tac. *Ann.* 11.14.10. It is Dio Cass. 36.53.5 which adds that Pompey received more than had been promised. It is also worth noting that, having borrowed money to buy his throne, Tigranes handed over his son as security. When the young man tried to escape from Rome, a distinguished publican and associate of Pompey died in the fight to bring him back (Asc. 47C; Cic. *Mil.* 18). This presence of M. Papirius, *eques Romanus ornatissimus, publicanus, familiaris Pompeio*, in ensuring that the son remain hostage perhaps reveals the tip of an iceberg of creditors with money invested in Tigranes.

25. Suet. *Iul.* 54; Cic. *Rab. Post.* 21.

subordinates, making each of these men as wealthy as the richest man of seventy years earlier.²⁶ A freedman of Pompey's, Demetrius, left an estate of 96 million sesterces, while the great man's son was decreed 700 million sesterces as an inheritance; and considering that Pompey had lost the civil war, it is impossible to say whether this was even a majority share of the total.²⁷ Crassus' 200 million sesterces of land may have made him synonymous with wealth, but Pompey "could have bought Crassus out without feeling the pinch."²⁸ The same could be said of Caesar, whose autocracy allowed him to blend public and private money like no Roman before him. Amassing a fortune during his Gallic campaigns—including from the sale of slaves—he personally subsidized his legions to the tune of 50–55 million sesterces. He bought the political neutrality of a consul for 36 million sesterces and paid even more for the advocacy of a tribune, C. Scribonius Curio. When he built a new Forum, he spent over 100 million sesterces for the land alone, and Badian has valued the cost of all his handouts to troops and urban residents at over 2 billion sesterces.²⁹ There can be no doubt that Caesar's wealth was orders of magnitude beyond what his grandparents' generation would have thought possible.

War, then, was the most profitable enterprise available to Romans of the Late Republic, but the top beneficiaries were very limited in number. Only a handful of lucky individuals could lead campaigns on the scale of Caesar's and Pompey's, and not many more could engage in the great money-making enterprise that was provincial administration. This is not to say, however, that there

26. The references are conveniently collected at Shatzman 1975: 389–92, along with discussion of Pompey's fourteen known Italian estates and a web of foreign loans that probably left Pompey himself in doubt of his exact worth at any given moment.

27. Demetrius: Plut. *Pomp.* 2. Sextus Pompey: Cic. *Phil.* 13.12. App. *B.Civ.* 3.4, however, refers only to 200 million sesterces. At App. *B.Civ.* 4.94, moreover, Cassius' wording seems to suggest that the figure is for Pompey's entire property. It is inconceivable that Pompey had only been worth 200 million sesterces, however, and if it is necessary to accept one of these figures, that of Cicero—who, though hostile, was an informed contemporary addressing other informed contemporaries—should be preferred. Hadas 1930: 63n.25 was probably right, therefore, to reject the emendation of Cicero's *septiens miliens* to *bis miliens*, though it would conveniently bring Cicero in line with Appian. In any case, Sextus was eventually decreed "only" 70 million sesterces at Misenum (Dio Cass. 48.36.5).

28. Badian 1968: 82, *contra* Kay 2014: 194, who seems to underestimate Pompey's worth by using the (no doubt deflated) valuation of his estate after it was seized and sold in civil war. Together in the year 56, Crassus and Pompey spent so lavishly on electoral bribery that interest rates doubled (Cic. *Att.* 4.15.7).

29. Badian 1990: 30–1. The evidence is collected with discussion at Jaczynowska 1962: 491–2. The bribes are recorded at App. *B.Civ.* 2.26. On his armies, see Shatzman 1975: 349–50. On the politics of the Forum Julium, see Ulrich 1993 and Westall 1996. On the land for his Forum, Plin. *HN* 36.102 and Suet. *Iul.* 26.2. Caesar's wealth can be seen over and again in the evidence. He gave 500,000 sesterces and the gold ring of the equestrian order to the playwright Decimus Laberius after a tense dramatic contest in which Laberius wrote unflattering remarks about tyranny (Suet. *Caes.* 39.2; Sen. *Controv.* 7.3.9). What we know of his landed estates can be found at Jaczynowska 1962: 491–2 and Shatzman 1975: 356, but it is worth noting that when he gave land to his veterans he did not have to dispossess occupants (presumably because he could purchase the land at full value or distribute his own estates). Even his subordinates could afford statelike distributions of wealth: L. Cornelius Balbus, who was given Roman citizenship only as an adult and served as Caesar's secretary, could bequeath 100 sesterces to every Roman (Dio Cass. 48.32.2).

were no windfalls on offer to other members of the Roman elite. A far wider pool of Romans could profit from L. Cornelius Sulla's thirst for revenge.

After Sulla won a civil war against the supporters of C. Marius in 82, he took up the challenge of reordering Roman political society. Short of cash and fully aware that many of his erstwhile enemies were still in Italy, he engaged in several rounds of "proscriptions," in which designated individuals were slated to lose both lives and property. His purges resulted in auctions of elite estates at heavy discounts.³⁰ They reportedly yielded 350 million sesterces, but the real value of all that went under the gavel had to be far higher.³¹ The sources provide no definitive number of victims.³² Hinard gives a very low estimate of 520 individuals, of whom something short of 300 were senators.³³ Each of these senatorial victims had to possess an estate of at least 1 million sesterces in order to qualify for senatorial status, and the equestrians likewise had to possess 400,000 sesterces worth of property to earn their rank. If Hinard's 300 senators and 220 equestrians had zero wealth beyond these minimum census ratings—and the proscribed were most certainly worth more than that—then their total property would have equaled 388 million sesterces (see Sulla's total profits of 350 million sesterces, according to Livy).³⁴ Given that the wealth of Sulla's victims must have been several times greater than their minimum census ratings and that the number of victims was likely higher than Hinard posited, it becomes clear how great a discount was needed to yield just 350 million sesterces at auction. Those who bought these estates did so at enormous profit, and immense fortunes were made. Sulla's daughter bought one of Marius' seaside villas for 300,000 sesterces and sold it on to Lucullus at a profit of over 3300 percent.³⁵ It was apparently well known that much of Crassus' wealth came from the proscriptions—he even allegedly had a man proscribed without Sulla's orders.³⁶ Sallust has M. Lepidus, whose spectacular house was referred to above, admit that he purchased proscribed property.³⁷ Sulla's freedman Chrysogonus lived on the prestigious Palatine Hill and Cicero could relate at length the wealth he had acquired "from

30. The standard work for the proscriptions is Hinard 1985. See also the clear summary of the technicalities at Santangelo 2007a: ch. 5.

31. Livy. *Per.* 89.

32. App. *B.Civ.* 1.103 gives 105 senators and 2,600 knights; Flor. 2.9.25 says there were 2,000 victims from the flower of the equestrian order and the senate.

33. Hinard 1985: 119.

34. The same calculations were made by Shatzman 1975: 271, but on the far higher number—as reflected in sources—of 4,700 equestrian victims, yielding a total of over 1.8 billion sesterces. There, obviously, the undervaluation of property is even more extreme, since the market would be flooded with property.

35. Plut. *Mar.* 34.2, with D'Arms 1970: 27–8. Marzano 2007: 77 believes such a profit must have involved some capital investment on Cornelia's part, but it is impossible to know how undervalued the auctioned properties were and whether Cornelia spent anything on it.

36. Plut. *Crass.* 6.6–7.

37. Sall. *Hist.* 1.55.18 Maur. Apparently Sulla forced him to take part in the auctions as a show of loyalty.

many splendid families in turmoil and theft.”³⁸ Another freedman, Tarula, was known to have grown rich in the civil war, and amphorae in Apulia bear his name as testament to the potteries he owned there.³⁹ It is no wonder that this profiteering generated broad resentment, and the speech which Sallust puts into the mouth of M. Lepidus reflects this. Civil war, in short, provided many of the victors with the chance to increase their wealth overnight, and the estates of those who most ruthlessly seized these opportunities were redefining what it meant to be wealthy.

Evidence for Increased Wealth Outside the Aristocracy

The greatest profits of war were only open to a handful of elected generals, while the riches of the proscriptions were shared among a wider circle. Yet even civil war limited its bounty to those ruthless enough to seize it. Rome’s expansion across the Mediterranean created opportunities for enrichment which, though not on par with Pompey’s or Caesar’s, still demonstrate the expansion of wealth available to a wider circle of Romans willing to leave Italy. Those who poured into the new lands made fortunes from agriculture, mining, finance, and many other enterprises. This is important because it demonstrates that the increase in private wealth was not confined to a narrow elite. The decentralization of imperial profits into the purses of private actors was quotidian and ubiquitous, and an accurate understanding of just how much the state lost in the contest to claim new revenues requires an examination of non-elites in the provinces as well.

Explicit evidence for non-aristocratic wealth is not particularly copious, but it can be found.⁴⁰ Nepos’ biography of Ti. Pomponius Atticus, for example, provides a rare glimpse of a Roman “equestrian,” or *eques* (knight), a figure of respectable wealth who did not run for political office. Atticus is well known today for the copious collection of letters that Cicero wrote to him, but Nepos provides a raft of details that emerge from no other source. Not only does the biography provide a litany of evidence for Atticus’ own wealth—not to mention the financial and political influence he seems to have exercised over Epirus—but he also mentions a handful of other equestrians who held impressive estates in the provinces. Atticus’ own fortune of 10 million sesterces is considered unimpressive by Nepos, and was certainly not in the ballpark of, say, the poet

38. Cic. *Rosc. Am.* 133–5, with Plin. *HN* 35.200–1. See also Hinard 1985: 149–51, Santangelo 2007: 88–94, with Mouritsen 2011: 114–5 on the rhetorical attack on Chrysogonus’ wealth and pp. 103–4 on the rise of these wealthy freedmen as a sign of increasing power of individual magnates.

39. Santangelo 2007a: 74, 94–5, with references. Proscriptions and civil war would recur after Caesar’s death, and may have resulted in the enormous wealth of the freedman Caecilius Isidorus, for whom see Brunt 1975.

40. On the growth of less elite private wealth, see Dyson 1992: esp. ch. 1 for the archeological evidence of non-elite enrichment, Cornell 1995b: 128–9 on the distribution of state funds; and Scheidel 2007 arguing for broader growth in real income (though see Scheidel & Friesen 2009 on the preponderance of subsistence households at Rome).

L. Julius Calidus, proscribed by Antony's supporters "on account of his great African estates."⁴¹ Neither Atticus nor Calidus were warlords or powerbrokers, yet their fortunes still compare well with those of the aristocratic elite a few generations earlier.

Perhaps the most enlightening evidence, however, pertains to a handful of anonymous individuals who, unfortunate enough to be caught in the depravations of civil war, flitter through our line of sight. In 49, for example, M. Varro forced contributions from Roman citizens (or so Caesar describes them for his Roman readership) in his province of Hispania Ulterior (southwestern Iberia) worth 18 million sesterces in cash, 20,000 pounds of silver (worth, at 84 denarii to the pound, 6.72 million sesterces in raw material alone), and 120,000 modii of wheat. This meant that the Roman citizens of Hispania Ulterior—and this was only those who could be found by Varro—had more than 18 million sesterces in coin and 20,000 pounds of silver *on hand with them*.⁴² It is an enormous pity that Caesar does not provide us with a sense of how many people were affected here. Gades was home to around five hundred men worth more than 400,000 sesterces during the Augustan period, but were they all affected?⁴³ And how many others were caught up in Varro's fundraising? Were those 18 million sesterces distributed among five hundred people, five thousand people, or some other amount? Nobody can know. It is clear, however, that Roman businessmen in Hispania Ulterior had coins and silverware on a very significant order of magnitude. Even after those losses to Varro, Caesar himself could still seize huge sums of money when he marched through later in the year.⁴⁴

People will rightly point out that Hispania Ulterior was famed for its silver mines and its wealthy inhabitants, but this was not the only area to see non-elite private wealth seized in the civil wars. In Africa, during his penultimate campaign, Caesar meted out justice to cities that had supported his rivals. At Thapsus, he imposed a fine of 2 million sesterces on the city, as well as 3 million on the community of Roman citizens who lived there. He imposed on the city of Hadrumentum a fine of 3 million sesterces, plus 5 million on its resident Roman citizens.⁴⁵ Each pales into insignificance compared to the money on offer at nearby Utica. Caesar there imposed on three hundred resident Roman

41. Calidus: Nep. *Att.* 12.4, with *Att.* 5.1–2 and *Att.* 14.2 on the figures for the inheritance. His overall wealth is downplayed at 14.3, where Nepos implies that the only impressive thing about Atticus' wealth was the use to which it was put. Atticus in Epirus: Nep. *Att.* 11.1, with Cic. *Att.* 14.14.6 (and throughout book 14).

42. Caes. *B.Civ.* 2.18.4. The sesterces must have been in cash, since credit was of no use to soldiers who could be deployed elsewhere at any moment. Varro's main target was presumably Gades, a city with strong ties to Caesar and stunning wealth. On private wealth in Spain, Broughton 1974 remains an excellent survey.

43. Strabo 3.169.

44. Dio Cass. 41.24.1.

45. Caes. *BAfr.* 97. The added fines on the Roman population may reflect his expectation that they would lend the city the money for its fine, and hence were designed to cover that profit. It is difficult, however, to see how the *conventus* was in a position to loan large sums at this point.

citizens a fine of 200 million sesterces to be paid over three years.⁴⁶ Since it will soon be time to turn to public wealth, it is worth examining a possible comparandum for these figures. Polybius claims that a property levy on all of Attica in the fourth century yielded just 138 million sesterces.⁴⁷ If this figure is correct, then three hundred ex-patriot Roman citizens in one port could pay in two years roughly the equivalent of a levy on all reported wealth in Attica. The ancient economy could generate but slender surpluses, so the ability of private businessmen to draw such statelike revenues speaks volumes for their success in claiming the empire's profits for themselves. If I were able to add the other cities of Africa (beyond just Thapsus and Hadrumentum), as well as those of Gaul and Spain, plus Greece, Asia (western Anatolia), Syria, and (especially) Italy, the implication would be a pool of private resources that rendered the revenues of the Roman state a mere drop in the ocean.⁴⁸ With all those resources, individual Romans could have an enormous effect on the society around them.

It is abundantly clear that the resources available to wealthy Romans in the last days of the Republic astronomically exceeded those available to their ancestors 150 years earlier. This not only invites the relatively banal conclusion that elite Romans snapped up a large share of the empire's bounty, but it also establishes a context in which to study the state's growth over the same time. This is important for two reasons. First, the rate of private enrichment sets a baseline against which to gauge the state's increase in resources. The influx of new wealth had to be apportioned, since there was no pre-existing, well-established allotment for it, and that apportionment will reflect the priorities and goals of Rome's leading decision makers. If it can be shown that the state received much less than private actors, then this should allow us to conclude that Roman leaders desired a state of limited capacities. Second, the state was one of the few institutions through which the bulk of the population could constrain the elite. If it can be established that the aristocracy raced ahead of the state in the means it had at its disposal, then this would suggest that Rome's leaders enjoyed an improved freedom of behavior over the course of the Republic. The challenge is to establish the degree to which the state managed to increase its resources and capacity, which is the subject of the rest of this chapter.

46. Caes. *BAfr.* 90. Plut. *Cat. Min.* 59.2 tells us that the 300 were prominent traders who served as Cato's advisers, but there is no indication of whether this was a small or large percentage of the overall Roman population in Utica. On the high number of Romans at Utica in the late second century, see Sall. *B.J.* 64.5. It is quite possible that the 300 who bore the fine were just a (highly partisan) fraction of the Romans who were enriching themselves in Utica. Errington 1988, moreover, concentrates on the way that trade preceded the flag in Roman expansion, and we should not underestimate the fortunes made by Romans in more peripheral communities of the provinces.

47. Polyb. 2.62.6–8.

48. So also Eich & Eich 2005: 22n.113.

PUBLIC RESOURCES

Growth in private wealth may have vastly different meaning in the context of the presence or absence of comparable expansion in state revenues. If growth in state resources kept pace with that of private estates, then the state's relative capacity or agency vis-à-vis that of private actors may have remained unchanged. The state might even be able to increase its ability to redistribute resources, to provide public goods, and to expand its footprint in society. On the other hand, if the state did not enjoy an expansion of resources, then it would be very limited in what it could do. At stake was the issue of how this new wealth would be deployed in Roman society. Who would control the distribution of these new resources? Where was the great potential to preserve the status quo or effect change? If regular Romans needed material relief or a community required the delivery of a public good, to whom would they turn? Would aristocratic households control the resources for all this, or would the institutions of the collective Roman people? Would societal challenges be met by the leading families acting on their own initiative, or would changes be managed through the shared institutions of the state? From the perspective of Rome's aristocrats, who already enjoyed such influence at Rome, the answers would go a long way in defining their power over the long term. The stakes, therefore, were high.

To establish what a state can do is to establish its "capacity." Capacity is the extent to which state actors affect non-state actors, whether in their distribution of resources, their social networks, their activities, or other parts of their social existence.⁴⁹ States vary in their capacity—even the one state will fluctuate in its capacity over time. High-capacity regimes can create hierarchies, force people to move themselves or their property, or define who can and cannot associate with one other. Although able to issue proclamations, on the other hand, the low-est-capacity regimes are more or less powerless to effect their "policies." In the absence of a gauge, I cannot say that Rome scored a 2/10 or a 7/10, and although I could make a case for ranking it relative to other (preferably premodern) case studies, I am solely interested here in tracing Rome's own development toward greater or lesser capacity. No ancient source can provide a definitive answer to this, since the Romans themselves never asked the question and certainly never developed ways of crafting an answer to it. The evidence, as so often, will take the form of a patchwork quilt or one of Hopkins's wigwams: although no source can stand on its own, the combination of several minor testimonies produces a sound and usable structure.⁵⁰ The resulting impression is that the state expanded its resources at a much slower rate than its leading citizens did, and that this both reflected and was reflected in its capacity to affect society.

49. Tarrow & Tilly 2007: 55; Tilly 2007: 16.

50. Hopkins 1978: 19–20, with Shaw 1982: 23–50 on Hopkins's own wigwam crimes.

The State's Revenues

Perhaps *the* standard measure for a state's capacity is its budget. There can be no doubt that the Republic's revenues grew over the course of expansion, but this in itself does not tell us much.⁵¹ There are various ways in which an increase in revenues might not result in improved capacities—the new resources might, for example, be consumed while meeting existing obligations—but the focus in this chapter will be on the race between state and aristocracy. If public finances lag far behind those of the richest citizens, then the state's capacity to affect society will suffer from a range of constraints. It might not be the obvious port of call for citizens, for example, or it might struggle to control investment in public infrastructure or bar private interests from public space. Most worryingly, it might struggle to monopolize warfare. A sense of how much the state received each year would provide some sense of whether it could compete with its most powerful families or whether those distinguished households could outspend the Roman people if or when they decided.

Good evidence for Rome's revenues is, however, hard to find. Reconstructing the budget for the second century is probably impossible, but such a task becomes realistic at the very end of the Republic, thanks to one reference.⁵² According to Plutarch, Pompey claimed in his triumph of 61 to have added either 140 million or 340 million sesterces to Rome's preexisting annual revenue of 200 million sesterces.⁵³ The figures need not be taken as statistical gospel. Pompey may have sought to magnify the proportional increase brought by his new monetary revenues by minimizing the revenues from before his conquests: many of Rome's older tribute systems, for example, were paid in commodities rather than cash, and Pompey might have excluded these as a way to make his new revenues—overwhelmingly paid in cash—look even larger than they already were; alternatively, war in the wealthy province of Asia had suspended any tribute to Rome, and Pompey might have excluded these previously stable revenues from the old figure, again to inflate the proportional growth after his pacification of the East. He might also have used an inflated figure for his new revenues. Bidding for Asia's tax farm in 61, for example, was too high and had to be lowered in 59, so Pompey's estimates for his new revenues may be inflated owing to the same unrealistic optimism.⁵⁴ It was in Pompey's interests, in other words, to make

51. For a reconstruction of Rome's early second-century revenues at a low 12 million denarii per year, see Taylor 2017, with a similarly low impression at Naco del Hoyo 2003: 201–2. No reconstruction would claim that the budget remained that low in the first century.

52. Kay 2014: 298–304 makes a valiant (and highly worthwhile) effort, but he admits at p. 325 that the scale of his conjectures requires “health warnings.” Much comes down to Pompey's revenue figures from the ambiguous Plut. *Pomp.* 45 (see note 53, this chapter), and Kay and I hold different positions on how to read them.

53. Plut. *Pomp.* 45. The figure is ambiguous in Plutarch's Greek. Though most assume the lower figure is the correct one, not all do: see *inter alia* Badian 1968: 78–9, Brunt 1971a: 379, Crawford 1974: 695, Jones 1974: 115–6, Rickman 1980: 170, De Ligt 2012: 31–4, Meijer 1990: 18–9, Kay 2014: 72–3.

54. Cic. *Att.* 1.17.9. Asia was not actually part of Pompey's new settlement, but the overbids there may testify to a bubble in Eastern tax farms. It is unclear whether the contracts were let before the September triumph

the revenues from before his conquest seem as low as possible, and the revenues after this return to appear as impressive as could be.

I suspect that a low reading of Pompey's figures—that in the year 61 he added 140 million to a preexisting 200 million sesterces—provides a generous ceiling for Republican revenues, and my reasoning requires working backwards from the safer estimates applied to the post-Augustan budget a century or two later. A little historical accounting can take an estimate for this imperial budget, and progressively remove revenues that were nonexistent in the time of the Republic. Once these later riches are subtracted, the remainder is something well below 400 million sesterces. It is difficult in the extreme to leave the high reading of 540 million sesterces.

At 900 million to 1.2 billion sesterces, Scheidel offers a higher estimate of annual imperial revenues than other scholars, and thus serves as a safe ceiling.⁵⁵ Scheidel's, however, is a hypothesis for the post-Augustan world. To bridge the gap between Pompey's figures and that later estimate, all revenues added subsequent to 61 BCE have to be discounted. Subtracting the taxes for Caesar's three Gallic provinces (40 million) and a conservative 300 million sesterces from Egypt would take even Scheidel's optimistic estimate of 1.2 billion back down to 860 million sesterces.⁵⁶ Scheidel estimated that mining would have comprised 10 to 25 percent of overall revenues, but of the notable mines he discusses, only one was operational during the Republic, knocking 170 million sesterces off the high imperial total and leaving us with 690 million sesterces.⁵⁷ Further subtractions would have to come from increased external trade under the emperors. A single cargo from India detailed on the Muziris papyrus, for example, netted the state 2.3 million sesterces in customs revenues, and Strabo saw up to 120 ships setting sail for India in the Augustan period. Scheidel estimates the state revenue from this trade at up to 140 million sesterces, taking the

or not—evidence for censorships in these years is problematic—but Pompey's avowed knowledge of the revenues may suggest that the auctions had taken place earlier in 61. *MRR* has the details. On the possible exclusion of taxes in kind, Jones 1974: 119.

55. Scheidel 2015: 159 with the low-end figure used at Scheidel & Friesen 2009. Hopkins 1980: 119 (along with Wolters 1999: esp. 220–3 for the Flavian period) suggested something “not much larger than 800 million,” which was later revised at Hopkins 2002: 199 to a minimum of 900 million. Duncan-Jones 1994: 45 posits 832 million to 983 million sesterces. I agree with Duncan-Jones—along with Scheidel 2015: 159—that revenues more or less equaled expenditure. A budget surplus is theoretically possible, but Kay 2014: 298 points out that the absence of public debt makes a deficit all but inconceivable. Goldsmith 1984 estimated 3% of a total GNP of 21 billion, or just 630 million sesterces. Such a constrained budget would rob all figures cited here of any credibility.

56. Egypt apparently generated 355 million sesterces under Ptolemy Philadelphus and 300 million at some point in Ptolemy Auletes' troubled reign—see Duncan-Jones 1994: 254 for the references for Egypt and other provinces. Suet. *Iul.* 25 gives the figure of 40 million for Gaul.

57. Scheidel 2015: 162, citing Plin. *HN* 33.67 (in Dalmatia, opened under Nero, and worth 80 million sesterces), 33.78 (Asturia and Callaica in northwest Spain, worth 88 million sesterces) and the mines of Dacia, none of which was operational in the Republican period.

total down to 550 million sesterces.⁵⁸ Augustus also received on average 70 million sesterces per annum in bequests, and Scheidel has factored in yearly revenues from imperial domains of 50 to 100 million sesterces.⁵⁹ Our total comes down to 380 to 430 million sesterces. Then there are also the incalculable revenues from Augustus' inheritance tax and the blooming prosperity of peace. Nobody can place a figure on these, but their removal would have to leave at most the 340 million reported by Plutarch. This must surely rule out the idea that Pompey brought Rome's revenues up to 540. Either public revenues in 61 were lower than that, or Scheidel's 1.2 billion sesterces is overly modest for the imperial budget—and it must be remembered that 1.2 billion is already much higher than most estimates for the empire's revenues.⁶⁰ It would be a brave historian who inflated Scheidel's already high estimate of the empire's revenues in order to preserve a (much more poorly attested) reconstruction of the Republic's budget. The state's wealth before Augustus, therefore, was nothing like the later imperial bounty. A low interpretation of Pompey's figures appears to be in the correct order of magnitude, and they reflect a treasury that would struggle to compete with Rome's wealthiest citizens.

A few comparisons should highlight the state's problems. Against the profits of a few renowned individuals, the state's pre-Pompeian revenues of 200 million sesterces do not appear to be all that impressive: L. Lucullus was said to be earning 4 million sesterces each year (2% of the state's 200 million sesterces) *from his fishponds alone*; Crassus' 200 million sesterces in land alone would, at 5 percent return, have earned him 10 million sesterces per year, or 5 percent of the entire state's revenues prior to 61; Pompey was receiving nearly the same amount from a single foreign debtor.⁶¹ Telling comparisons can even be found among Pompey's subordinates, since each quaestor and legate was given a bonus

58. Strabo 2.5.12, with Rathbone 2001 on the Muziris papyrus and Wilson 2012: 217 for the fiscal importance of this 25% *portorium* on external trade in the imperial period. If all of Strabo's 120 ships carried cargo equivalent to the one in the Muziris papyrus, then the state would be adding 260 million sesterces to its annual revenues from the Indian trade alone. Pliny conservatively estimated the trade at 100 million sesterces, implying *portoria* of over 25 million (Plin. *HN* 12.41.84). It might be objected that the Red Sea customs should be counted as part of Egypt's revenues; the same passage of Strabo above, however, explicitly states that the Ptolemies (who provide my comparanda) oversaw very little trade with India, so use of Ptolemaic comparanda for Egyptian revenues runs a very low risk of double counting.

59. Scheidel 2015: 162, with Wolters 1999: 221.

60. Estimates of the imperial budget are approximate, to say the least. Duncan-Jones 1994: ch. 3, and app. 4 concentrate on expenditure rather than revenues, and it is possible that the budget was simply running a surplus or lost a lot of income through inefficiencies. Hopkins 2008: 183 concentrates on *minimum* subsistence levels of production, and so figures should be above that level by some unknowable degree. The easy conclusion is that we have no idea and that the state's "budget" is simply unknowable. Thus Harris 2008: 514n.10: "The size of Rome's revenues is probably an insoluble problem."

61. See Duncan-Jones 1982: 33 for the figure of 5% as return on land. To Crassus' land would have to be added profits from mines, loans, and other activities. On Lucullus' fish ponds, see Plin. *HN* 9.170. For Lucullus' wealth, Shatzman 1975: 378–81, Keaveney 1992: 143–6. He dedicated a tenth of his estate to Hercules (Diod. Sic. 4.21.4). On fish breeding more generally, see Higginbotham 1997 and Marzano 2007: 47–63. On Pompey's loan, see Cic. *Att.* 6.1.3, claiming it was 33 talents every thirty days, as discussed in chapter 3.

of 100 million sesterces at the end of the Eastern campaigns. Broughton could identify twenty-four of them from 67 to 62, but even if Pompey only rewarded the six legates and one proquaestor identifiable in the final year of the war, that would still be 700 million sesterces. Even a 5 percent return solely on Pompey's gifts—and each of these men enjoyed wealth before the war—would leave them earning over 10 percent of the state's post-Pompeian revenues of 340 million sesterces.⁶² Pompey must also have had at least seventy-two military tribunes spread over his twelve legions, each of whom would have received a handsome payment.⁶³ And lest anyone argue that this was just the top stratum of Roman society, recall Caesar's exactions at the end of his civil war. Resident Romans in Utica were ordered to pay nearly 70 million sesterces per annum for three years, which meant that the Roman citizens in one African port were capable of paying one-third of Rome's pre-Pompeian revenues all on their own. Two things should be clear: in the race to snap up the empire's profits, Rome's leaders and entrepreneurs had performed outstandingly, and the state had failed miserably.

These data suggest that, in the company of the state, Rome's richest men would not have felt out of their depth; collectively, in fact, a handful of the wealthiest Romans could quite comfortably have outspent the treasury. Yet the financial potency of Rome's leading men was even stronger than an account of revenues can reveal, since their fixed expenses cannot have grown at the same rate as the state's. To the extent that the state increased its revenues, in other words, its freedom of action was curtailed by increased obligations.

Chief among these was the cost of running the empire. With each new addition to Rome's dominion, the costs of administration and security were liable to go up, and—though they enjoyed such a rich share of the profits—the aristocracy was under little obligation to share that financial burden. This imposed obvious constraints on the state's ability to spend freely. From the death of Sulla, it was a rare year that saw fewer than twenty legions in the field.⁶⁴ What is more, the enfranchisement of Italian allies in the year 90 meant that the Roman treasury now had to pay all its Italian troops as full citizens—allied units had previously been paid by their own communities.⁶⁵ Wars were, furthermore, waged farther afield and with greater logistical challenges, but there was no guarantee that these new costs would be accompanied by new revenues.

62. The total number of recipients must have been significant. If L. Gellius Publicola was still serving as a legate in 63, then he had spent four years in that role (see *MRR* for references); it is unlikely that Pompey would ignore him or his fellow long-serving legates, some of whom were very distinguished. The total of twenty-four identified legates and quaestors is not exhaustive, yet they would require 2.4 billion sesterces in handouts. Their annual return at 5% would have been 120 million sesterces.

63. Brunt 1971a: 449 on the number of legions; Lintott 1999: 139–40 on the military tribunes.

64. Again, Brunt 1971a: 449.

65. Momigliano 1975: 45–6, Nicolet 1978: 223–4, Crawford 1985: 187, Brunt 1988: 70, and Gabba 1989.

The contrasting of private and public financial power reveals that the state enjoyed a relatively small share of the empire's riches, but endured the overwhelming burden of its costs. The aristocracy, on the other hand, assumed few expenses of the empire, but successfully claimed its profits. The political elite had therefore crafted a system that forced the state to monopolize the empire's expenses but compelled it to share the profits, and the state's disposable wealth consequently failed to grow at a pace comparable to that of elite families.

There is, of course, a limit to how much these figures can tell us. There is an abstract quality to them. Numbers alone cannot reveal the full story—wealth testifies merely to the existence of resources, not the uses to which they are put—so to elucidate the stagnation of the state in a more forceful way it is necessary to see how the state deployed its resources and how they affected its institutions and practices. A survey of the evidence shows that the state was only moderately successful in increasing the number of agents doing its work, in strengthening the infrastructure through which it executed policy, and in the improving the methods it used to affect society.

State Capacity: Growth of Institutions and Practices?

Since resources represent the state's *potential* to affect the world around it, they do not necessarily reflect any *actual impact*. The real test of the state's capacity lay in what its constituent parts did. A state that used new resources to expand its capacities might have widened the scope of its laws or improved access to its courts. It might have furnished new types of public goods. It might have increased the number of its agents and officials to attend to more matters. It might have entered into new arrangements to ensure that resources were distributed in a particular way. From the aristocratic perspective, the most chilling spectre of such a strengthened state lay in its potential to confront, overwhelm, and eliminate all independent—that is, aristocratic—centers of power at Rome. Any increase in capacity should have left some vestige of evidence in at least one of these domains.

So to what extent was there a discernible change in the state's capacity over the course of the Republic's last 150 years? Empire meant that administrative challenges ballooned, but it also meant that there were vast new reservoirs of wealth waiting to be tapped. It would not have been unreasonable to employ those resources in an effort to improve the state's means of facing its new challenges; the least one might expect is that the state would maintain the faculties it already employed. Yet a survey of the evidence shows that the state's response to empire tends to range from moderate improvement down to outright regression. Only in the rarest—and often controversial—occasions did the state actually expand its footprint. In what follows, I will examine the state's failure to

maintain a functioning census, to increase the powers of its officials and magistrates, and to improve the food and water supply of the city.

Perhaps the most basic administrative role of the state was to enumerate the citizens and measure their property, yet far from simply stagnating, the state's capacity in this respect seems even to have contracted. The famed Roman census, supposedly instituted as early as 443 BCE, collapsed to such an extent that just one count of the citizens and their wealth is known to have been completed in the sixty-nine years between 97 and 28.⁶⁶ Despite persistent failure, however, it was not until Caesar attained sole rule that anyone thought to reform the (obviously deficient) bureaucratic procedure of the census.⁶⁷ Explaining part of the census's demise is simple. Since citizens were no longer paying property tax—and since soldiers were recruited less and less on the basis of property qualifications—assessing the number of citizens and the details of their wealth ceased to matter so much.⁶⁸ It is nonetheless impossible to miss the fact that, unlike the Mongolian and Saudi Arabian examples mentioned earlier, new revenues did not lead to an increase in state capacity. On the contrary, with respect to the census, they seem to have undermined it.

The census was not the only state institution to struggle as a kind of anachronism.⁶⁹ The number of praetors increased, for example, but not at an impressive rate given what must have been an ever-expanding workload. Between 228 and 198–7, four new praetorships were added, but most of this expanded capacity was soaked up by the demands of four new provinces. Additional provinces down to Sulla saw no corresponding increase in the stock of praetors or consuls

66. Frank 1924. Brunt 1971a: 13–4 presents the census data (which is not available for every census) in a convenient table. Wiseman 1969 and Astin 1985 remain standard for the censorship in this period and see also now Hin 2013: 269–70. For the census of 97, see Tweedie 2012: 128–9. For a discussion of the census between the Social War and Augustus, see still Henderson 1963: 64, Wiseman 1970a, Brunt 1971a: chs. 7 and 8, Nicolet 1974: 99–100, Lo Cascio 2001a, and once again Astin 1985.

67. Though enthusiasm apparently waned, the Republic never abandoned the counting of citizens and the measuring of their wealth. There was enough concern for the census that an incomplete one justified a new election of censors immediately. In 109, M. Livius Drusus died during his censorship, and though his colleague M. Scaurus only left office unwillingly, new censors were elected for the following year (Plut. *Quest. Rom.* 50)—it was not permitted to replace a dead censor with a suffect, because the last *lustrum* which saw a censor replaced also saw the city fall to the Gauls (Livy 5.27.4–5; Livy 5.31.6; 6.31.2). Incomplete censuses in the 60s show similar determination to see the task through. The failed census of 65 saw new censors in 64, who in turn failed with more censors probably appointed for 61. They again failed to complete the census (*MRR* contains the sources). No new censors took office until 55, however, and then not again until 50. None completed the task. Pompey, in charge of the grain dole, wanted a census to organize its recipients, but not even his formidable managerial skills sufficed (Dio Cass. 39.24.1–2). The string of censorships from 65 to 61 shows that there was some determination to perform the functions of the office, but this makes it all the more notable that, despite repeated failure, the Romans stubbornly refused to develop new methods of collecting and maintaining census data. For further discussion, see Brunt 1971a: 98–9 discussing the ongoing importance of the census for recruiting the army, *contra* Astin 1985: esp. 184, though the latter gives other reasons for the census's abiding importance. The general failure could not go on forever; see the reforms of (probably) Caesar recorded on the *tabula Bambina* (Crawford 1996: n.24 ll 142–58). Of course, even when the census was functioning, it provided the premodern quality of information that was negligible by the standards of the modern state: Scott 1998: 2.

68. Astin 1985: 182.

69. The language here is borrowed from Cornell 1991.

to serve as governors. Two examples illustrate just how stretched the praetors could be in the second century. In 181, C. Claudius and P. Maenius were appointed as praetors-elect—the resort to praetors before their year of office is itself clear evidence that the incumbent praetors were too busy elsewhere—to investigate cases of poisoning, with Claudius concentrating on cases within ten miles of the city and Maenius responsible for the area beyond that radius. By 180, the actual year of his praetorship, Maenius had convicted 3,000 people! As witnesses poured in, he wrote to the senate warning that he would either have to call off the whole investigation or—and this is as sure an indication as any that his office was overstretched—give up his province of Sardinia.⁷⁰ Not only did Maenius presumably have to perform regular duties within the city but he also had to govern a province and conduct an investigation which quickly spiraled out of control. Overtaxed, he was forced to choose between his duties. The very number of convictions and informants equally testifies to the inability of magistrates to interact with the extra-urban population in normal circumstances: in this case, the irregular presence of a praetor saw a flood of people seizing the apparently rare opportunity to contact a magistrate.

Nine years later, there was the even more impressive praetorship of Cn. Sicinius. Like Maenius, Sicinius had not yet entered into his praetorship when he was dispatched to Apulia to deal with a plague of locusts.⁷¹ Having spent some time there organizing a force of men to collect up (*colligere*) the locusts(!), he was then ordered to levy an army for the war against Perseus and to send it to Greece in the shortest time possible. Sicinius, however, was delayed. Some time before March 15, he was also ordered to restore to freedom thousands of Statellites who had been forcibly removed from their territory in Liguria, and this may well have involved going with them to their land north of the Po River. Aside from this additional task, he also had to let a contract for a house to entertain the son of King Ariarathes, enroll crews for twenty-five ships from the allies, and levy 8,000 infantry and 400 cavalry from the Latins, all the while seeing to civic duties that he had to fulfill. Little wonder he seems not to have

70. Livy 40.43.2–3. Livy's astonishingly nonchalant account does not reveal which task Maenius chose, though the absence of any further information on this society-wide case of mass poisoning suggests that he went to his province. Briscoe 2008: 521 points out that Livy seems to ascribe the 3,000 condemnations to Maenius alone, and we do not know how many Claudius had convicted within the city.

71. The sending of Sicinius is in itself a fascinating window into the expanding demands on Rome's leadership in the peninsula. Sicinius seems to have brought no Romans with him, but armed with *imperium* (though only a praetor-designate), he was needed to form an *ingens agmen hominum*, which apparently the Apulians were either not capable or not permitted to do without a Roman magistrate. Roman leadership had become the *sine qua non* of large-scale, coordinated activities in all of Italy. This is just eight years before M. Aemilius Lepidus is elected consul and settles a domestic disturbance in Patavium (Livy 41.27.3–4, with Harris 1977 and Liu 2007). For Roman intervention in Italian communities, most of which seems to have been invited, see the discussion at Gabba 1989: 225–32. This expanding responsibility did not result in extra praetors, however, and the resort to praetors-designate reflects the overstretch.

arrived in Greece until late in his term.⁷² It is difficult to say whether this was a normal spring and summer for a praetor or not—Livy does not express any surprise at the demands—but it testifies to the diversity of the magistracy's tasks, the low degree of structural differentiation, and most of all, despite an obvious increase in state business, to the shortage of senior officials.

Consuls could be similarly overstretched, and it was not unusual for them to have to abandon part of their work. The great centuriation of Campania in 173 was an endeavor of such demands that the consul who oversaw it never reached his province. In fact, the entire project was necessitated by the state's failure to maintain the borders of its own land and to lease its farms for profit in the nearly forty years since it had come to own them—such neglect is eloquent testimony to Rome's disregard for public revenue, inability to manage state business, and failure to prevent private parties from profiting at its expense.⁷³ The consuls of 186 left their provinces unoccupied for virtually their whole year in office because of the Bacchanalian conspiracy.⁷⁴ Even seemingly mundane tasks could occupy the time of Rome's highest magistrates. A consul of 90 was instructed to contract for the repair of the Temple of Juno Sospita, despite being the state's ranking commander during the crisis of the Social War. The consuls of 75 had to let a contract for the maintenance of the Temple of Castor, but overburdened with other duties, they were unable to inspect the work. The business was passed onto the praetors, who were also too busy to see to the task, and so it was further delegated to the praetors of the following year.⁷⁵ The fact that the praetor of 74 had to pick up the unfinished work of the previous year's consuls eloquently demonstrates just how overburdened elite magistrates could be. The eventual delegation to praetors shows that there was nothing necessarily consular about the task, yet it was still handed to the top officers in the state seemingly without any thought that their plates might already be full or that a new office might be established to alleviate the burden.

The under-resourcing of the senior magistrates was also apparent in the lack of physical infrastructure available to them. My own undergraduates are frequently surprised that consuls and praetors, though at the helm of the most powerful state in the Mediterranean, had no official residence or office space. Not only did they lack a White House or a Versailles, they lacked even Athens's

72. Livy 42.10.8, 18.2, 19.6, 22.5, 27.3, 31.3, 31.4, 36.8–9. Given the nature of sailing seasons, it is not clear how late in his term Sicinius would leave his crossing of the Adriatic. As *praetor inter peregrinos*, Sicinius may have had few fixed tasks on his plate: see Brennan 2000: ch. 5, and esp. 109–10, 115–6, 133–5. It is, however, still worth noting the remarkable lack of specialization in the office: see the discussion of Parsons's "structural differentiation" as a mark of increasing Roman social complexity at Hopkins 1978: 74–98.

73. Livy 42.1.6, 9.7, 19.1–2; App. *B.Civ.* 1.7, with Roselaar 2010: 90–1.

74. Pina Polo 2011: 125–7.

75. Juno Sospita: Cic. *Div.* 1.99, Jul. Obseq. 55. Castors: Cic. 2.*Verr.* 1.130–54. Strong 1968: 101 and Zanker 1990: 19–20 point out that the overstretched system may well have been to blame for the poor state of temples by Octavian's time.

tholos, in which the *pryteneis* held meetings, ate together, and could sleep.⁷⁶ Instead, it was typical to find them operating out of their own homes, and the persistence of this practice reveals the degree to which an ideology of “stateness” failed to gain traction.⁷⁷ The tribunes of the plebs had a bench from which they could observe and answer appeals, but this fell far short of any office or housing. Lack of official space for magistrates was taken for granted by Romans, who tended to avoid defining their architectural spaces in terms of function. Yet in comparative terms, the absence is striking. There are, moreover, four exceptions which reveal that space could be assigned when deemed necessary. The first comes from a fragment of Cassius Hermina and states that the first Greek doctor at Rome was given space at public expense to perform his work.⁷⁸ Though not contributing much to the state infrastructure, this does demonstrate that the notion of delineating public space for specific actors was not inherently at odds with Roman culture. As a second example, the Curia remained the all-important (though not sole) meeting place for the senate throughout the Republic. Even this, however, was a communal structure that, far from facilitating the capacity of the consuls and praetors, served to strengthen the rest of the aristocracy by forcing the magistrates to operate in the company of their peers. The other, more revealing, exceptions are the Atrium Libertatis, which received an upgrade in 194 to allow the censors to do their work, and the Atrium Regium, which was probably built to house envoys or visiting kings from the Greek world. In this case, there seems to have been a realization that the demands of the census and of diplomacy really did require space and the state was willing and able to provide that.⁷⁹ The fact that they did provide these two structures reveals that similar investment in the rest of the magistrates’ infrastructure was not unthinkable or impossible. It was simply that justification for such building had to clear a remarkably high bar. The default, unless truly pressing need could be demonstrated, was to avoid adding to the administrative infrastructure of the state. Consuls, at least when in the city, continued to work out of their own homes.

The stagnation in state expansion is most striking when the stunted institutions are set against the increasing responsibilities of the state. In most ancient cases, of course, continuity was to be expected, since a lack of economic growth

76. On Athens, Hansen 1999: 251–2.

77. According to Livy 39.11.3–12.3, the consul investigating the cult of the Bacchanalians in 186 used his mother-in-law’s house to interrogate informants. Protestors lacked an official space to rally against, and so they frequently attacked leaders’ homes: Asc. 33C, 48C. Cicero detained the Catilinarian conspirators in the homes of the praetors in 63: Sall. *Cat.* 47.2–4; App. *B.Civ.* 2.5.

78. Cassius Hermina F29 Beck/Walter.

79. Atrium Libertatis: Livy 34.44.5. See *LTUR*: “Atrium Libertatis” and Purcell 1993. Atrium Regium: Zevi 1991 and Welch 2003. My thanks to Seth Bernard for pointing out the importance of the Atrium Regium. On the administrative staff of censors, see the *iuratores* at Livy 39.44.2 and Plaut. *Trin.* 872. See also Papi 1995b on the house of the rex sacrorum, which might be the closest thing to an official residence, but whose unique religious requirements set it apart from the rest of state business.

and the maintenance of traditional borders demanded little or no reform. There is, however, room for Roman exceptionalism here. Rome's system of government persisted in the face of singular military success, generating resources that had demonstrated their transformative power in other areas of Roman life.⁸⁰ The Romans had also seen demands on the state increase rapidly. New demands on magistrates, however, led to few new facilities for agents to do their work, while an increase in the number of citizens requiring some administration of justice led to very few new officials. Nor did an increase in children result in the sort of education fund seen in various Hellenistic cities, and given that a king like Eumenes II or Attalus II would have salivated at the chance to endow such a gift to the Roman people, one can reasonably speculate that the Romans actively refused such innovation.⁸¹

The most striking change in the administrative demands placed on the state comes from the explosion in the population of the capital, yet here too the state's capacity remained unremarkable. Take the administration of food and water as examples. The impact of the Roman state is frequently illustrated with images of aqueducts, and there is no point denying that the provision of fresh water represented an important extension of the state's capacity. Once the state had paid for an aqueduct, however, its commitment was remarkably limited. Outside the city wall, the control of the water system fell into the hands of the censors in some years, into those of the aediles in others, but both would employ contractors who maintained their own staffs of workers and who would keep the aqueducts functioning. Even this work, however, may have been inadequate, since the enormous program of 144 included the cleaning of existing aqueducts, suggesting that regular maintenance had not been doing a sufficient job.⁸² Within the city, an even less direct system was used. So extreme was the thinness of government that aediles appointed two residents or landowners in each neighborhood (*vicus*) to monitor the fountains as a civic service. There were, therefore, no officials monitoring the supply of water within the city. It would be easy to dismiss any surprise at this archaic system as the anachronistic reflections of a twenty-first-century urbanite, but Augustus reveals the folly of such objections. Immediately following Augustus' ascension to power, M. Agrippa became in effect the permanent curator of the water supply, equipped with a permanent staff of slaves who were eventually handed over to the state. After him, the senate

80. The standard account is Hopkins 1978: esp. 90, but see also Eich & Eich 2005: 8. For at least a sense of increasing wealth, see the model proposed at Scheidel 2007 and the fuller argument at Kay 2014. Some, like Raaflaub 1996: 294, stress the potential for imperial profits to alleviate social problems, but do not seem to push the idea very far.

81. For education funds, see for example Syll.³ 577 and 578. See also Polyb. 31.31 on Eumenes' establishment of a fund for public education at Rhodes, with Walbank's (1957) note on what appears to have been a common practice in the Hellenistic world. Dmitriev 2005: 39 discusses an elected official in Eretria paying for a teacher as a benefaction.

82. Frontin. *Aq.* 1.7, with Davies 2012: 72.

continually selected three senior ex-magistrates to be appointed with trappings, two lictors, three public slaves, an architect, and a team of clerks, copyists, aides, and heralds, many of whom were authorized to access funds in the treasury.⁸³ Between the construction of the first aqueduct, however, and Augustus' establishment of permanent administration, there was a gap of almost three centuries, and three very profitable centuries at that. The state could have regularized the system as Augustus did, but nobody chose to.

Another obvious role for the Roman state lay in the provisioning of the city with grain, which is discussed at greater length in chapter 6. Improvements in such systems were, however, both slow and controversial.⁸⁴ No permanent measures were implemented to source, transport, store, and distribute grain for the benefit of the urban population before Gaius Gracchus' program of 123, more than a century after Rome began to draw a tithe of grain from Sicily and Sardinia. The approach to solving grain shortages prior to the *Lex Sempronia* has been described as "dilettantist."⁸⁵ The annual arrival of the tithe may have involved the aediles in the marketing of grain on the private market, but there was no permanent infrastructure or procedure for feeding the city. Instead, the performance of the aediles in any given year depended entirely on the individuals in office. Unpredictability was inherent in rectifying shortages: "the alleviation of a food shortage in Rome depended on the chance that surplus grain stocks would be located somewhere, that the key Roman officials should have had foreign contacts in the appropriate place, and that private shippers should be found to transport the grain once acquired."⁸⁶ Success under this system was a reflection of an aristocrat's own abilities, and was thus perfectly suited to the aristocratic ethos.⁸⁷ To preserve the importance of these personal qualities, the stability offered by a permanent program was sacrificed. Therefore no centralized system was established until 123. And even Gaius' controversial reform was moderate. It appears that it was more than sixty years before P. Clodius would install Sex. Cloelius at the head of something resembling a hierarchical bureaucracy for controlling imports. Pompey subsequently managed to have himself put in charge, with fifteen legates and a budget of 40 million sesterces, but the system would remain unstable until Augustus reformed it.⁸⁸

83. Frontin. *Aq.* 2.94–100, with Evans 1994: 137–8, de Kleijn 2001: 110–2, Peachin 2004: 74–7.

84. On the debates surrounding grain programs, see Arena 2012: 140–1, 173–4.

85. Veyne 1976: 446, cited at Garnsey & Rathbone 1985: 23, with Rickman 1980: ch. 2.

86. Garnsey & Rathbone 1985: 23–4. There was a long history of ad hoc efforts to meet grain shortages. As just two examples, see the infamous case of L. Minucius and Sp. Maelius at Livy 4.12.8 and 4.13.2, and the seemingly more regular case of the aedile Fabius Rullianus (though already thrice consul by this point) in 299 at Livy 10.11.9. According to Harris 2003: 282, these instances were anomalous.

87. Ungern-Sternberg 1988: 182. The old system actually suited Gaius Gracchus well. Reminding us that the Gracchi were better placed than most to rely on a system of personal contacts across the Mediterranean, Plut. *C. Gracch.* 2.3 says that grain had been sent to the Romans by Micipsa of Numidia out of respect for C. Gracchus himself.

88. For discussion and references, see Garnsey 1988: 216–7, Brunt 1988: 76, and Rickman 1980: chs. 2–3, who links Augustus' reforms to the annexation of Egypt at p. 61. There had to have been an underlying

One reason for the slow development of a permanent grain system may have been the weakness of the treasury. Almost without exception, from the first grain law of 123 to Clodius' intensification of the program in 58, every expansion of the grain dole had to be accompanied by new taxes or the seizure of a foreign treasury.⁸⁹ C. Gracchus notably expanded state programs beyond just the grain dole, but he also implemented several new taxes;⁹⁰ the *Lex Terentia Cassia* was accompanied by the seizure of Cyrene's treasury; M. Cato's extension in 62 was hot on the heels of Pompey's new Eastern revenues; Cato himself was sent by P. Clodius to bring home Cypriot treasure to fund the huge extension of the dole in 58.⁹¹ The one exception to this rule was the *Lex Appuleia* of 100. Its sponsor, L. Appuleius Saturninus, may have been tempted by the recent spoils of the Jugurthine and Cimbric Wars. Or he may simply have been irresponsible: his chief opponent explicitly "warned the senate that the treasury could not afford such a handout."⁹² This was a standard claim of all those who opposed grain laws, but it remains nonetheless likely that Saturninus was unable to refute the charge. New grain doles seem to have required new revenues to remain on a stable fiscal footing.

In an ideal world, that assertion could be demonstrated through an analysis of annual budget figures, but such an exercise is inconceivable with current evidence. There is, unfortunately, no extended series of figures for the treasury's reserve. Crawford is probably correct that the treasury never ran dry between the Second Punic War and the Social War, but that does not necessarily tell us all that much.⁹³ As luck should have it, however, Pliny has reported two sets of figures for the treasury's reserves, which though not illuminating any long period of time, nevertheless cannot be ignored. The first pertains to the year 157—probably the last year attested before the reopening of the Macedonian mines made itself felt—and records the presence of:

- 17,410 pounds of gold (though this varies in the manuscripts and is unreliable)
- 22,070 pounds of silver (worth a little under 7.5 million sesterces)
- 6,135,400 sesterces in coin

administration recording those eligible for the grain and coordinating its distribution, hinted at for the Augustan period at Frontin. *Aq.* 2.100. Tatum 1999: 124–5 suggests that Clodius distributed his grain through the collegia.

89. Garnsey 1988: 215–6.

90. See chapter 6.

91. *Lex Terentia Cassia*: Sall. *Hist.* 2.43 Maur., with Badian 1968: 34. Sallust does not miss the opportunity to accuse Marcellinus of corruptly enriching himself while in Cyrene. *MRR* contains the references for 62 and 58.

92. "Cic." *Her.* 1.12.21. Even in the case of Saturninus' grain law, however, there is a hint of revenue raising. Lines 8–30 of the *lex de provinciis praetoriis* instructs the governor to immediately raise revenues in the Chersonese, and this may reflect a general push from Saturninus to raise as much money as possible in the provinces. This was brought to my attention by Carlos Noreña in a seminar at the annual meeting of the Society for Classical Studies in 2016.

93. Crawford 1974: 634–7.

The second figure records the amount Caesar removed from the treasury (which may or may not have been everything) in the year 49:

- 15,000 gold ingots
- 30,000 silver ingots
- 30 million sesterces in coin

Depending on the weight of Pliny's ingots (*lateres*), this may well correspond to the data provided by Orosius, who claimed that Caesar seized:⁹⁴

- 4,135 pounds of gold
- 900,000 pounds of silver at a coined value of over 300 million sesterces

If that is true, then it is a remarkable reserve of silver and provides a stark contrast with the figures for 157. The treasury had received 120 million sesterces in 167 and over 600 million sesterces in indemnities since 201, so it is safe to conclude from Pliny's relatively low report for 157 that Romans in the first half of the second century had done a thorough job of spending. The public riches in 49, on the other hand, are extraordinary given that the treasury had been empty after the Social War and remained weak until after 63.⁹⁵ For it to have bounced back so healthily by 49 speaks volumes for Pompey's Eastern settlement and perhaps for Cato's seizure of the Cypriot treasury. This is perhaps the best evidence for the degree to which Pompey transformed Rome's balance sheet, and given the ratio of cash to bullion, it seems likely that contractors for these new provinces transacted in uncoined metals. The truly striking aspect of the 49 figures, however, is the speed with which this treasure was accumulated. An ailing treasury in 63 was flush with silver just fourteen years later. Whereas the Romans in the years preceding 157 seem to have very effectively spent their imperial winnings, those of the 50s practiced astonishing collective restraint. Something stopped them spending, and it is worth asking what that might have been.

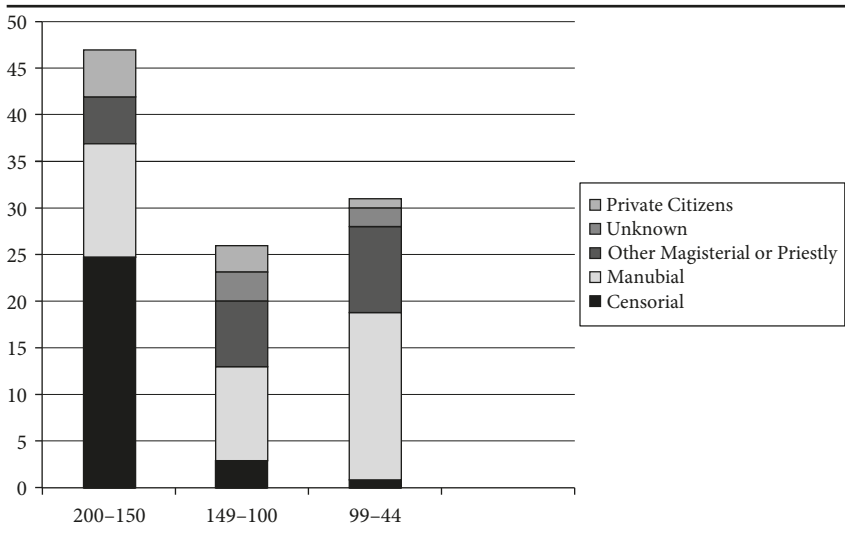
Such fiscal restraint is easily discernible in the most durable and obvious aspect of state expenditure: public building. If it is true that Romans became progressively less willing to spend treasury funds—an obvious deduction from Pliny's treasury figures—then it should be possible to find such a pattern in the record of public construction, which Polybius considered to be chief among the state's regular expenses.⁹⁶ The treasury funded building throughout Italy, but

94. Plin. *HN* 33.56; Oros. 6.15.5, with the discussion at Shatzman 1975: 351. Pliny also reported figures for 91, but a lacuna in the text has robbed us of the details. Relying on a 10:1 ratio of silver to gold values, Kay gives a total figure of 18 012 130 denarii for 157. The figure for gold, however, is textually unreliable and sustains very little credence.

95. Crawford 1974: 637–8.

96. Polyb. 6.13.3.

Table 1.1 Attested public building in the city of Rome by type of builder



limitations of evidence restrict study to the relatively well-attested phenomenon of building within the city itself.⁹⁷ The full list of known construction and renovation projects can be found in various places, all presented chronologically.⁹⁸ Dividing that list according to the sponsor of each project, however, reveals a change in building practices that confirms the impression that Romans spent public money much more freely in the early second century than in the mid-first century. Their results are recorded in table 1.1.

According to my count, censors are known to have built twenty-five structures in the half-century between 200 and 150, three in the next fifty years, and just one in the final five decades of the Republic.⁹⁹ The senate, priests, and other magistrates initiated the construction or renovation of five buildings between 200 and 150 (all aediles), perhaps seven between 150 and 100, and then probably thirteen between 100 and 44 (I have extended this last period to allow for the fulfilment of Caesar's building plans).¹⁰⁰ Twelve manubial monuments were erected between 200 and 150, ten in the next fifty years, and eighteen down to 44.

97. For detailed treatment of public building in Italy beyond Rome, see Jouffroy 1986: ch. 1.

98. Platner & Ashby 1929, Richardson 1992, and Palombi 2010 all contain lists of known projects with very minor variations.

99. I am omitting the projects of Q. Catulus from this list on the grounds that they were approved and begun as projects of Sulla as dictator. On his reconstruction of the Capitoline, see Tucci 2005 and Coarelli 2010.

100. This count considers the *navalia* to be a project associated with M. Antonius' pirate command of 102 (see Cozza & Tucci 2006, with Tucci's further remarks at Tucci 2012), as well as six different projects of the dictator Sulla (some later inherited by Catulus) in repairing the Forum and Capitoline after 83.

To all of this can be added a small collection of structures that are unidentifiable or were undertaken by private citizens.

It is clear from the table that the overall quantity of building projects in the early second century was, thanks to the activity of censors and aediles and the large number of battlefield victories for manubial structures, greater than it would be again in the Republic. There is still healthy funding for construction in the 140s, but from that point there is a sudden decline in attested projects. The censors of 125 received funding for the Aqua Tepula, a minor aqueduct and one which was not eponymous.¹⁰¹ From that point there is no evidence for censorial building aside from a set of boundary stones attesting to a riverbank project in 54.¹⁰² Whether the subsequent reduction in the number of projects reflected a decrease in the state's financial outlays is impossible to say—the 180 million sesterces spent on aqueducts in 144, for example, may well have compensated for any decline in other outlays of the later second century—but there is certainly a reduction in the number of attested builders to whom the leadership decided to allocate public funding. The trend persists through the end of the Republic. Although magistrates other than censors pick up some of the slack caused by the absent censors, Sulla alone is responsible for much of that. In fact, projects not attributable to Sulla reveal very little in the way of publicly funded building: the renovation of the Basilica Aemilia by Lepidus in 78 likely used no public money, the work on the Temple of the Castors was probably routine maintenance that occurred in all periods, and the rebuilding of the Temple of Aesculapius may have been religiously unavoidable after some kind of damage.¹⁰³ In the funding of three other projects—the construction of the Pons Cestius, the Pons Fabricius, and the Tribunal Aurelium—it is unclear how much public funding was involved. After the 140s, therefore, there seems to have been a clear reduction in the amount of money Rome's leaders were willing to grant to magistrates for public building.

Yet this does not mean there were no projects at all. Manubial building (that is, building vowed in battle and funded from the spoils) persists as a relatively stable—even growing—phenomenon. It experiences a minor dip through the second half of the second century, but thanks in part to three great conquerors, it contributes enormously to both the number and the scale of construction in the last years of the Republic.¹⁰⁴ Whatever caused the decline of construction on the part of censors did not have such a grave effect on manubial building.

101. Frontin. *Aq.* 1.8. The name of the aqueduct might reveal a reluctance to bestow fame on builders.

102. The first of these boundary stones are recorded at *CIL* 6.31540 a-p, though others have been found since. *MRR* links them to a flood recorded at Dio Cass. 39.61.1–2.

103. Lepidus: Plin. *HN.* 35.13, where Lepidus adorns the building with shields. Castores: Cic. 2.*Verr.* 1.130–54, not included in any of the regular lists. Aesculapius: Degraasi 1987, despite *MRR*'s differing reconstruction of L. Valerius Flaccus' career.

104. The technicalities underlying Pompey's and Caesar's projects are not always clear, but like Russell 2016: 163, I categorize them as manubial owing to their obvious triumphal origin. On the specifics of manubial spending, see Churchill 1999 and Aberson 1994, each correctly refuting Shatzman 1972.

Why would censorial construction decline so dramatically when manubial construction maintained its vigor? Coarelli sensibly argued that the loss of Livy is to blame for the disappearance of attested censorial projects.¹⁰⁵ According to this theory, the disappearance of Livy's annals has disguised what must still have been a healthy perseverance in public building, and it would be lunacy to deny that this plays a significant role in shaping any catalogue today. Such reasoning also explains why manubial building retained a somewhat higher profile, since religion compelled other sources to continue noting the foundation days and circumstances of temples. Yet there are two problems with this thesis. The first is that even in the depths of the late second century, there is still a consistent record of (relatively minor) repair and construction from non-censors—in fact the number of projects from magistrates other than censors actually jumps from five to seven. Why would they be attested if the censorial projects are not? The greatest weakness in the argument, however, is its failure to account for a decline in building during the well-attested last decades of the Republic. Sources for the period 150 to 100 are indeed poor, but the same cannot be said for the age of Cicero, for which annalistic histories, letters, speeches, and other forms of literature abound. If the building trend were consistent, and the sole determinant were source survival, then the patterns from 200 to 167 ought to reemerge between 70 and 50. They do not.

A second possible explanation can be found in the role that war reparations played in the first half of the second century. The Romans imposed indemnities on the conquered between 201 and 152 on an incredible scale, totaling (if the sources are accurate) 27,280 talents.¹⁰⁶ The most durable was the 200 talents paid annually by the Carthaginians for a half-century, but the most lavish was the 15,000 talents paid by Antiochus III over just twelve years. These indemnities differed from most later external revenues in that they were not from occupied provinces, and hence did not have to fund a permanent Roman occupation. They were pure bonus, paid directly into the treasury by the vanquished.¹⁰⁷ Take the year after the Battle of Magnesia (188) as an illustration. Lacking evidence, we have no idea how much the treasury was earning in annual taxes in this period, but on top of them was a bonus of 1,612.5 talents (or nearly 40 million sesterces) in indemnities.¹⁰⁸ It is obviously no coincidence, then, that the

105. Coarelli 1977: 2–3. Kay 2014: 302–3 denies that there was a decline in construction until the first century, and is correct that projects outside Rome—Kay especially cites roads—may compensate for the decline in attested urban building. Even if this is right, however, it would not explain the patterns in sponsorship—that is, the shift away from censorial building—which is the focus here.

106. Kay 2014: 21, 37–42, 302. At 6,000 denarii to the talent, this comes to more than 163 million denarii, or over 654 million sesterces.

107. Kay 2014: 41–2.

108. Calculated as 200 from the Carthaginians, 100 from Philip, 62.5 from Sparta, and 1,250 from Antiochus III. The next year would see further indemnities from the Aetolians, who paid 200 talents up front and another 300 over the subsequent six years. Sources are conveniently collected at Kroll 1933: 88, Frank 1933: 127–35, Bringmann 2007: 127–9, and Taylor 2017. See Rosenstein 2016b: 81–2 for the novelty of indemnities

three outstanding censorial building programs in the sources—those of 184, 179, and 174—were the three that follow the Battle of Magnesia. Livy tells us that the censors of 179 received a full year's worth of public revenue. Even those of 169—in the midst of the war against Perseus and no longer during the term of Antiochus' indemnity—received half a year's.¹⁰⁹ Irregular indemnities were clearly having a positive impact on the state's bottom line and senators showed little hesitation in parting with the riches. The censors were among the chief beneficiaries.

There is no doubt that indemnities allowed censors to build far more than would otherwise have been the case, but there are three reasons to doubt that the end of indemnities is the driving force behind the shift in construction patterns. The first point is that even when riches began to flow again in the 50s, there was no corresponding uptick in building. There was, it is true, not a lot of time between the return of Pompey and the crossing of the Rubicon, so it may be objected that this is not a fair diagnostic. If Caesar had not sparked civil war, perhaps the building would have begun again. We will never know. The second point is that the end of indemnities probably did not have a catastrophic impact on the fisc. There were indeed fewer fixed-term indemnities after 167, but in their place came regular revenues like tribute from Macedonia and Spain, increased mining revenues from Spain and (after a short delay) Macedonia, and revenues from Africa and probably Achaea after 146, as well as a widening net of tax farms in conquered territories. There was, moreover, the enormous booty that L. Aemilius Paullus brought back from Macedonia in 167 and that saw the end of *tributum*. It is impossible to put a figure on all these revenues, but to blame the end of indemnities for the cessation of censorial building is to assume that these other sources could not pick up the slack. Certainly the great Aqua Marcia of 144 and the smaller Aqua Tepula of 125 would not have been possible if the revenues of the 140s were not able to sustain major enterprises. Finally, there is a third point. Fixed-term indemnities were not acts of God or events of the weather. They resulted from conscious policy choices, and their cessation should be seen as a symptom of a prior cause. The Romans increasingly chose to regularize tribute at a sustainable level in the period from the 170s onwards: the Spanish tribute was formalized, an annual tax was imposed on the Macedonians, and Africa began to yield rents and taxes.¹¹⁰ When settling

in the early-mid second century. Of course in the absence of other revenue and expenditure data, it is extremely difficult to interpret the proportional value of these indemnities (Kehne 2008: 260–1).

109. Livy 40.46.16, 44.16.9–11. As censor in 179, M. Lepidus received an additional 20,000 asses to fund games at the opening of two temples vowed during his war in Liguria (Livy 40.52.1). Unfortunately, very little is known of the projects of 169, even though they felt they needed extra time to fulfil all their apparently grand plans.

110. Spain: Richardson 1986: 72, Edmondson 1996: 188–9, *contra* Howgego 1994: 16–8 and Naco del Hoyo, T. 2003: 218–20. The emphasis on silver coinage in the latter two works is unnecessary for the establishment

their victories, in other words, the Romans from the middle of the second century chose not to repeat their experiments with large, short-term windfalls. The reason, I would suggest, is that such large windfalls were only useful to a regime that wanted to engage in large, one-off projects like censorial building programs. That was no longer the case.

The end of censorial construction and the move away from short-term indemnities were related, and the persistence of manubial building offers a clue as to why both fell out of fashion. The reason for manubial building's persistence was that it alone gave the builder some degree of autonomy over funding. The typical procedure for manubial construction involved three basic steps: promising a divinity that some monument would be erected if he or she brought victory; the collection of spoils on the battlefield once the divinity delivered success; the use of those resources in funding the construction project. Orlin has argued that most vowed temples were in fact funded by the treasury and that the senate exercised strict control over this process, but even if this reconstruction is correct, it still misses the larger point: the senate could not prevent the vowing of temples on the battlefield, which could only ever be the choice of the commander on the battlefield.¹¹¹ Once that vow was made, the monument simply had to be built, lest a scorned divinity decide upon vengeance. Manubial builders, regardless of whether they had to ask the senate for funds or not, were virtually guaranteed of obtaining their monuments. Censors and other magistrates, however, were dependent on the senate's choosing to hand over funds. The increasing scarcity of such grants suggests that the aristocracy as a whole became uncomfortable with the notion of routinely granting vast sums to a handful of its members. This is not to say that it could never happen. When need arose, sufficient consensus could coalesce around a project—thus Q. Marcius Rex received 180 million sesterces for repair and augmentation of the city's water supply in 144—but such worthy causes became rarer and rarer.¹¹²

The reason should be obvious. It must have been a galling spectacle to watch four lucky men per decade spend communal money on monuments that would bear their names. For all those who lost censorial elections or who never bothered running, the practice of granting so much to so few must have seemed grossly disproportionate, and there was little reason to persist in such an imbalanced allocation of resources. Plutarch tells us that, already in the censorship of 184, senators were complaining that the Roman people had footed the bill for Cato's eponymous basilica.¹¹³ The developing discomfort may be apparent

of regular tribute, which could as easily be in kind as in coin. Macedonia: Livy 45.18.7, 32.7; Justin 33.2.7. Africa: Haywood 1938: 4–5 contains the sources.

111. Orlin 1997, with a similar view of collective oversight at Steinby 2012.

112. For the Aqua Marcia, *MRR* contains the references. The censors of 125 also built an aqueduct in the form of the much smaller Aqua Tepula, but it is perhaps significant that they either could not or would not attach their names to it: Frontin. *Aq.* 1.8.

113. Plut. *Cat. Mai.* 19.3.

in A. Postumius Albinus' declaration in 174 that he would build nothing as censor without the express order of the senate or Roman people; it may also have played a role in the tearing down of an almost complete theatre after the censorship of 154, and perhaps even in the strict awareness of undue honors that drove the censors of 158 to remove statues erected without senatorial or popular decree.¹¹⁴ Faced with the dilemma of keeping the upper echelons of the elite within touching distance of the rest, the aristocracy chose not to persevere with the routine allotment of such wealth to the censors. By the end of the Republic, few beyond those who controlled their own funding stood a strong chance of grand building. Wiseman has shown that the same pattern can be found in the building of Roman roads. Noting that the Late Republic saw a marked decline in road construction, Wiseman concluded that the nature of aristocratic competition created a kind of standoff, in which the collective elite was unwilling to entrust public funds to any ambitious individual: "in the cut-throat political atmosphere of the Late Republic, it seemed better to do without new roads than to give any one man such an advantage in the struggle for political power."¹¹⁵ The same could be said for publicly funded construction between 140 and 44: granting money to peers who would spend them adorning their own careers was more loathsome than doing without new buildings altogether. The result was stagnation.

This phenomenon—the aristocracy's refusal to empower its own members with public money—partly explains how the treasury accumulated so much money in the decade prior to Caesar's invasion of Italy. The priority for many senators shifted from deficiencies in the city's infrastructure—which admittedly were far harder to ignore in 190 than they had become by 60—to a defensive culture of political rivalry, in which potential uses of public money were spurned for fear of the prominence they would bestow upon their executors. The result was that the treasury, far from increasing its funding of construction as the empire expanded, actually reduced it. By the end of the Republic, the major building programs were conducted by those few men who could sustain their enterprises without relying on the senate for the money: manubial builders, Sulla (as well the heir to his boldest projects, Catulus), Pompey, and Caesar.

The shift from large censorial projects to large manubial ones constituted a reduction in state activity. Yes, the grand projects of Sulla, Pompey, and Caesar used money raised in state action, were occasioned by public commands, and hence were not private in the way that, say, a personal votive offering was. This,

114. Events of 158: Plin. *HN* 34.30, with Wallace-Hadrill 1990: 163–5. Events of 154: See *MRR* for primary sources, with Manuwald 2011: 58–61 for discussion and bibliography.

115. Wiseman 1970b: 151, with Itgenshorst 2005: ch. 5 for similar concerns regarding triumphs. See Pina Polo 2011: 136–42 on consuls building roads prior to Sulla. Gruen 1995 identifies similar concerns behind the trial of the Scipios, but emphasizes collective concern for the *nobilitas*' integrity.

however, is where a spectrum of stateness becomes important. A Pompey had all but total control over the use of this money—indeed, it is impossible to identify how much of his theatre expenditure was technically his own private money—and if he had wanted to spend it on a villa or fine wine or novelty slaves, there would have been little to stop him. The state may have granted the land and may have lost money in the sense that it would otherwise have been a recipient of the Eastern spoils, but this is as far as its stake can be said to have extended. Pompey and Caesar acted beyond the reach of collective decision making and largely at their own financial loss. Everyone, moreover, understood that. This was a far cry from the censors who received instructions on what to build, waited for the senate to decree a block grant, and then were at no personal loss at the end of their lavish spending. By capturing the profits of their wars and monopolizing decisions on how they would be spent, the three great magnates of the Late Republic were cutting the state and the treasury out of their construction efforts. Russell is right to dub Pompey's complex in the Campus Martius "the privatization of public space."¹¹⁶ As the footprint of the greatest individuals replaced that of the state, the state's role in construction became more and more limited.

Hence, one undeniable aspect of state growth (i.e., building) in the early second century stalled, only to be replaced by super-aristocrats who made up for the expenditure now withheld by the treasury. This partly explains why the treasury accumulated riches at such a rate between 62 and 49: Pompey had increased its revenues, but the senators were collectively refraining from the kinds of investments that might have put public wealth to use. The mindset behind this was not concerned with infrastructure or with economic management, but instead was fixated upon aristocratic jockeying and the dangers of a state being exploited for rivals' self-aggrandizement. If the price for such defensiveness was that costly reform or the addressing of major infrastructural problems became inconceivable, then so be it.¹¹⁷

CONCLUSIONS

Senior senators of the early second century came of age amid the severe strains of Hannibal's invasion. As will be explored in chapter 5, the fiscal turmoil brought about by that war was all but unbearable, and it is little wonder that, having later found themselves showered in the profits of their conquests, they hurriedly spent them on refurbishing their city. The generations who succeeded them, however, grew up observing how complicated such fiscal practices could be. Who would spend such wealth? How much renown would such spending

116. Russell 2016: ch. 7. On the politics of the theatre, see also Wallace-Hadrill 2008: 167.

117. For the Roman political system's inability to address real problems, see Hölkeskamp 2010: 40–1.

endow? Would this upset the aristocracy's delicate balance of competition and equality? Fears that a small number of leaders would gain undue recognition through public spending took hold. By the second half of the second century, publicly funded building had become far less prominent and most members of the aristocracy—those who could not make it to the censorship or did not boast the clout needed for a major commission—were probably quite satisfied with its demise. Better to abstain from building altogether than to allow so few to derive so much benefit from it.

This rationale can be extended to explain so much of what has been seen in this chapter. Even a leader who rose all the way to a consulship and a censorship had precious few opportunities to control and spend public resources. Although Polybius claims that consuls theoretically enjoyed free access to the treasury, this seems in practice not to have been the case.¹¹⁸ Even dictators, whose awesome power is stereotypically portrayed as virtually unlimited, were bound by two constraints in Zonaras' retelling: they could not mount horses unless campaigning, and they could spend no public money without a vote.¹¹⁹ If accurate, this was an all-important qualification on their potency. Moreover, and as Hölkeskamp has noted, most of a leader's career was spent out of office and in the senate, where he enjoyed no right to executive control but could argue against grants to those who happened to be in office in any given year.¹²⁰ There was no ruler—no monarch, no emperor, no two-term president—who could see a future in which a stronger state would empower his or her own career over the medium or long term. Leadership rotation led to state stagnation. In fact, this mutual restraint on the part of the elite raised the stakes for anyone who dared buck the trend: when the Gracchi attempted to carve out large swaths of public funding for new programs, the cry of tyranny went up and blood was shed in the name of liberty.¹²¹ Fear of tyranny ensured that no individual leader would be permitted free use of public funds without the tightest of constraints. Only permanent rule could change the incentives, and thus it was Augustus who embarked on the overhaul of the state's capacity.¹²²

So what use was Rome's imperialist enrichment if even the loftiest consul enjoyed so few of the spoils? The answer, of course, lay in private property. As a social, economic, and political elite, Rome's leaders did not rely on state power alone to exercise influence. They were prominent even when out of office, and

118. Polyb. 6.12.8, with the accompanying note in Walbank's (1957) commentary on the reality of this right. Zonar. 7.13 articulates a tradition in which quaestors were granted control of funding precisely in order to keep public money out of the hands of consuls. See also Veyne 1990: 206–7 on the insistence that consuls not possess state money.

119. Zonar. 7.13.

120. Hölkeskamp 2010: 28.

121. See chapter 6, this volume.

122. Davies 2012: 79–80.

the webs of patronage, euergetism, and finance meant that, in office or out of office, private wealth was always a means to social power. It was well understood by the end of the second century, therefore, that wealth in private estates, which could be spent all year every year, was far more beneficial to a Roman aristocrat than wealth bound to the occupation of an annual office, where it was seldom available, subject to various restrictions, and vulnerable to the approval of rivals and peers. The majority of Rome's annual leaders and policy makers were thus more interested in enriching themselves than in enriching the state, and the ways they accomplished that are the subject of the next two chapters.

This claim that the lack of an entrenched stakeholder removed incentives for state creation will be explored in subsequent chapters. For now, there is one obvious objection that needs to be addressed. The clearest indication that the state did not shrivel entirely, and that enormous sums could be granted to individuals even in the Late Republic, comes from the realm of war. No Roman was interested in a state so impoverished that it could not stoke the fires of the war machine—indeed, as will be argued below, the easier they found the sourcing of such funds, the freer their hands in shaping their imperialist policy. There is, however, a problem here. If Rome's leaders were so defensive, envious, and parsimonious when it came to glorious buildings, why would they be willing to fund their peers' renowned military campaigns? I suggest three reasons. The most obvious is that war was simply too integral an aspect of Roman society to abandon.¹²³ It had always been there and it was unthinkable to do away with it in the way that public construction was abandoned. Peace, moreover, posed more problems than it solved. What to do with allies whose only contribution was in military labor? How to avoid the softening of the youth without ten years of military service? How to demonstrate *virtus* (manliness) in a social system that prized it so highly? How to ensure security and prestige in a dangerous world?¹²⁴ Warfare negated all of these problems. The second reason for warfare's retention was that it represented the only sphere of Roman activity that absolutely could not be fulfilled by private actors. To invite leaders to privatize wars or to raise their own paramilitary forces—a phenomenon not unknown in the Republic—would have been counter to all anti-tyrannical instincts and thus it had to remain a public activity. On the safe assumption that warfare was always going to happen in some form, the elite had to feed the state's war machine to unify it, to control it, and to ensure that society's military energies were corralled and channeled against the appropriate targets. From this

123. For discussion of Rome as a militaristic society, see Eckstein 2006: ch. 6, and Serrati 2007, each with bibliography.

124. See in particular the martial conception of *virtus* at McDonnell 2006b, with Hölkeskamp 1987 and 1993. See Momigliano 1975: 45 on the provision of allied troops as an incentive for war, with Eckstein 2006: esp. chs. 5, 6 on the perception of threats in Rome's international affairs.

perspective, the retention of public funding for war reflects an ethos of mutual restraint: each aristocratic leader refrained from raising his own army so long as all agreed to grant the state's collective forces to officeholders. The third point is that foreign war facilitated international contests that—so befitting an aristocracy obsessed with primacy, honor, and competition—the group as a whole was not willing to lose. Susan Mattern has shown that foreign policy decisions during the empire were conceived less in “‘rationalizing’ economic or geopolitical terms” than in “moral and status issues, such as the need to repress *superbia*, avenge *iniuriae*, and maintain the honor or *decus* of the empire.”¹²⁵ This view can be retrojected to the Republic as well. Paul Burton, moreover, has made a case that the thoroughly social concept of friendship (*amicitia*) was the lens through which Romans “constructed” their foreign policy.¹²⁶ In other words, the struggle against foreigners was itself an aristocratic pursuit, and to deny consuls the resources they needed to win wars would have been to lose the competition abroad. This was never going to be acceptable.

The result was a state system that persevered with military enterprise, but pared down its commitment to many other potential spheres of state activity. Unlike the Mongols, who embraced a thicker state in order to maximize the revenues available to the ruling regime, Romans never pursued the greatest profits on offer. From an early policy of demanding manpower—admittedly, paid manpower—from allies in Italy, to various tax systems imposed in the provinces, Romans chose not to derive the highest possible revenues from their imperial success. The census and the state bureaucracy grew at a snail's pace, and at times even contracted. Nor, however, did they preempt the Saudi Arabian ruling regime, which created new agencies and bureaus in order to spend new wealth. There was no new educational system, few new government offices and to the extent that infrastructure was expanded, it came with little in the way of new administration.

The argument in the chapters that follow seek to explain this peculiarly parsimonious approach to empire. I will argue that the aristocracy avoided the creation of a larger, wealthier state owing to four main fears: fears that increased technical demands would have compromised their own, essentially amateur claims to power; fears that a larger state structure would outcompete them in their patronizing of the population; fears that a hungrier treasury would leave too few profits for themselves; and fears that a large pool of public resources would enable a tyrant to claim unrivaled wealth and end the delicate balance of aristocratic competition. In negating these elite fears, Rome's policy was ideal.

125. Mattern 1999: 194 and *passim*. See also the similar approach at Lendon 1997, and the role of revenge as a cultural and strategic device at Eckstein 2006: *passim*, but especially 169.

126. Burton 2011.

The large pool of wealth generated through expansion drained not to the treasury but to their own private estates. For the rest of the population, however, the stagnation of the state neutralized one potential avenue to ameliorate quotidian social problems and bound them ever tighter to their social superiors and the vast wealth of the elite. If the average Roman wanted a slice of the new economic pie, he would have to accept the dominance of those who had locked it up.

The Use and Abuse of Tax Farming

When Jesus went looking for the worst, he knew where to go:

Now it happened, as Jesus sat at the table in the house, that behold, many tax collectors and sinners came and sat down with Him and His disciples. And when the Pharisees saw it, they said to His disciples, “Why does your Teacher eat with tax collectors and sinners?” When Jesus heard that, He said to them, “Those who are well have no need of a physician, but those who are sick. But go and learn what this means: ‘I desire mercy and not sacrifice.’ For I did not come to call the righteous, but sinners, to repentance.”¹

Nor was it only in Judaea that the tax farmer, or *publicanus* in Latin, was synonymous with a sinner or a villain. Observing a group of French tax farmers in 1782, Louis-Sébastien Mercier could yearn “to reverse this immense and infernal machine which seizes each citizen by the throat and pumps out his blood.”² Such has been the hatred toward tax farmers throughout much of their long and global history, and Rome’s particular incarnations, especially in the East, provide no exceptions to this rule. Jesus notwithstanding.

Tax farmers are contractors who purchase the right to collect specific taxes in specific areas, hoping to gather more money from the taxpayers than they spend in leasing or purchasing their tax farms. In the Roman case, entrepreneurs known as *publicani* would bid at auction, with the winners granted exclusive rights to collect whatever taxes were stipulated over a five-year period.³ If they paid 100,000 sesterces for their contract, and they collected 150,000 sesterces from taxpayers, then they would retain 50,000 in profit. In theory, there were two clear winners. The first was the state, which enjoyed predictable revenue streams without the onerous business of instituting its own centralized system for collecting them. The other was the contractor, whose enterprise netted him, in the example just offered, 50,000 sesterces profit. There was also, in general, a

1. Matt. 9:10–12 (NKJV).

2. From Mercier’s *Tableau de Paris*, cited in Schama 1989: 172–3 (with further examples of the vampiric imagery hurled at tax farmers), Ferguson 2002: 89, and Johnson 2006: 964.

3. On the five-year term, see note 71, this chapter.

loser: the taxpayer, confronting a tax collector whose appetite was whetted by a profit motive.

For those of us who live in a modern nation-state, it may seem odd that a regime would be willing to employ a system of tax collection that conceded part of the revenues to contractors in the form of a profit.⁴ Why not have the state collect its own taxes, thereby retaining the entire yield without the premium of a middle man? The reasons throughout history have varied.⁵ In low-capacity regimes, contracting may simply be more profitable, since a profit motive may be the only effective incentive to rouse agents into action.⁶ Other regimes may have possessed the motivation, but simply lacked the capital to institute a centralized tax system, in which case contracting constitutes a form of private investment, with the tax farmers funding the collection apparatus in return for their profits. Some have looked longingly upon the predictable revenues of a system in which tax farmers paid for their contracts up front, putting their money on the table long before any taxpayers are forced to pay up. To yet others, public bureaucracy has simply been culturally anathema.⁷ Tax farming can be used as a way of managing elite relations, since local big men can acquire legitimacy for their fiefdoms as state-backed tax farms by sharing their revenues with the treasury. For others, such as fourth-century Athens, tax farming allowed the state to employ the expertise of non-citizens (*metics*) who were not eligible to occupy state offices.⁸ Some simply need cash immediately. In 2008, Chicago tried to close a budget gap by leasing all its parking meters to Morgan Stanley, Abu Dhabi Investment Authority, and Allianz Capital Partners for seventy-five years (the deal is projected to earn the contractors more than \$9 billion over the life of the contract, or nearly ten times the “profit” earned by the city council).⁹

There is, therefore, no single explanation for a state’s use of tax farming, and it follows that, in taking to contracting with such zeal, the Romans must have had their own peculiar motivations. Contractors had no doubt been plying their trade in Rome for centuries, but the practice exploded in the third and second centuries.¹⁰ Conquest brought new ports whose tolls and customs dues were

4. Most modern states do, it must be remembered, employ contractors for tolls and other indirect taxes. The Romans themselves understood that contracting cut into the state’s potential revenues. Flor. 3.17.3, for example, referred to the way that “equestrians . . . by means of intercepted revenues . . . were defrauding the commonwealth under their own law.”

5. See Copland & Godley 1993: 45, Reid 1993, and Barkey 2008: 229 for references to various case studies.

6. Butcher 1993: 23, 26; Copland & Godley 1993: 57–9, 60–3, 66; and Levi 1988: 82; as well as Kiser 1994: 302–3 and Kiser & Kane 2001: 197, citing the experience of Elizabethan and Stuart England.

7. Weber 1978: 965ff.; Jones 1974: 151–85, Webber & Wildavsky 1986: 133, Levi 1988: 78–85, Barkey 2008: 230–2, and Johnson 2006: 964.

8. Sorg 2015: 58–60, with bibliography. The Athenian system in the fourth century is well attested, thanks to an inscription from 374–73, which is published at Stroud 1998 and Osborne & Rhodes 2003: 118–29 (each with commentary), along with Osborne 2000 and Moreno 2007: 103–4.

9. D. Preston, “Morgan Stanley Group’s \$11 Billion Makes Chicago Taxpayers Cry,” *Bloomberg Business*, August 9, 2010, www.bloomberg.com.

10. De Laet 1949: 49–58, Badian 1972a: ch. 1.

farmed out to contractors, but even in direct taxation, tax farms abounded. The conquest of Sicily saw the Romans (after some delay) co-opt the existing system they found there, in which local tax farmers bought at auction the rights to a tithe of the harvest in prescribed areas.¹¹ They retained it with few changes even after the Republic's demise. Tax farmers would be employed in the transport of a variety of taxes and tributes from around the Mediterranean, and in 121, they were installed in Asia to collect a tithe. The system there perhaps involved collection in kind from individuals down to the year 88, but then the collection of a negotiated lump sum of produce from each city thereafter.¹² This approach was almost certainly extended to the East in the course of the Late Republic.¹³

Some have argued that tax farming was unavoidable owing to a lack of bureaucracy in Rome, but I will argue that this is a misguided assumption: not only did Caesar end parts of the tax farming system without creating a new bureaucracy, the lack of state administration was not an irremediable part of Roman rule. Others have asserted that the Romans merely preserved tax farming systems they found, owing to a kind of imperialist inertia. It is indeed true that many Roman tax farms were legacies of the systems they inherited, but many were not. The proliferation of farms in the East involved a novelty in which enormous auctions were held in Rome for Italians to purchase distant tax farms the size of kingdoms. This demonstrates a devotion to tax farming that path dependence alone cannot explain. The details, moreover, are noteworthy from a comparative perspective. Whereas, for example, numerous states have employed contractors to collect indirect taxes, tolls, and customs dues, the Romans adopted the unusual (though not unique) practice of issuing contracts for the collection of direct taxes.¹⁴ Some, like the Athenians—at least after the Law of Agyrrhios—collected agricultural taxes with contractors, but this practice was embedded in a system of grain provision that rendered it as much a part of the food supply as a method of revenue raising; the law even begins with, “In

11. The system is outlined at Carcopino 1919, Scramuzza 1933: 237–40, Badian 1972a: 79–80, Lintott 1993: 75, and Nicolet 2000: 279–80. Sicily also brought many new contracts for *scriptura* (pasture tax).

12. Broughton 1938: 537 appears to believe that the *publicani* originally collected the tithe directly from individual payers, with Pompey instituting the reform of city-scale *pactiones*, though he uncharacteristically gives no reference for this view. Details are lacking, thus Rostovtzeff 1941: 811–3, 817: “Of their operations before the time of Sulla we hear very little.” On whether the payments were made in kind, see note 72, this chapter.

13. Badian 1972a: 99–100, though see the response of Lintott 1993: 79.

14. Kiser 1994 and Kiser & Kane 2007: 201. Evidence for indirect taxes is not lacking: see De Laet 1949 and the emphasis at Scheidel 2015. Capua: Livy 32.7.3. Sicily: Cic. 2.Verr. 2.171, 185. Gaul: Cic. Font. 19–20. The fact that M. Fonteius could so quickly set up multiple duties on wine strongly suggests that cities already had systems for collecting *portorium* in place. Moreover, the men who collected the duties had Roman names, and were presumably either *publicani* or working for *publicani*. Greece: M. Lepidus’ push for Ambracia to be allowed to collect its own *terra marique portoria* at Livy 38.44.4 presupposes that Romans were otherwise to collect them. Asia: Cic. Att. 11.10.1. The decree at Sherk 1969: no. 12 suggests that Roman magistrates were letting out contracts for the collection of some kind of revenue in Asia (probably royal estates) as early as 129. Cilicia: Cic. Att. 5.15.4. Syria: Cic. Prov. cons. 10. See also Badian 1972a: 61–2, and now Wallace 2014.

order that there be grain for the people.”¹⁵ Even before this law, Athens demonstrated an aversion to production taxes.¹⁶ The Romans, on the other hand, extended contracting to the raising of cash from direct taxes. Such novelty is indicative of the relish with which they promoted this method of governing and the obstinacy with which they persevered with it. By the end of the Republic, a traveler in the Mediterranean would have considered the Roman tax farmer to be one of the ubiquitous features of Rome’s dominion, a not so friendly face for Rome’s empire.¹⁷ The prevalence of tax farming in Rome was the result of positive choices on the parts of leaders, who clearly saw a lot to like in the contracting system.

There are two questions that need to be asked: Why did the Romans—and particularly C. Gracchus, the subject of chapter 6—institute such large tax farms where direct taxes were concerned, and then why did later generations persist with them? Such an inquiry is important. Any work touching on Rome’s fiscal history will have some place for tax farmers, but these contractors are particularly central to the thesis of this book. When it comes to examining how the aristocracy so outstripped the state in the game of self-enrichment, it is necessary to understand what methods were used to widen the gap between gross taxation (what the taxpayers handed over) and net taxation (what the state received). Roman tax farming emerges as a cornerstone of those methods, and the details of that story reveal a great deal about the Roman aristocracy and its success in limiting the state’s share of imperial wealth.

TAX FARMING ACROSS HISTORY

The most anomalous feature of Roman tax farming was its widespread use in the collection of direct taxes, a practice usually avoided for three reasons.¹⁸ First, profit-motivated tax collectors are liable to do damage to the long-term productivity of agriculture if they press farmers too hard. The motivation for short-term profits does not sit easily with the long-term nurturing of a sustainable tax base, and so tax farmers are usually kept away from direct taxes. Second, contracting offers its most obvious advantages when applied to taxes that are highly unpredictable, making a predetermined lump sum attractive to leaders who want to forecast revenue. Agriculture, however, is relatively predictable

15. Bresson 2000: 201–3, 207–10, Sorg 2015, Moreno 2007: 102–15. Note that the inscription says little about the process of collecting the grain from each farmer, and the contractors seem to be more focused on shipping than collecting. The pre-374 Athenians were collecting in cash much as were the Romans, but the system is much less well attested.

16. Osborne & Rhodes 2003: 124.

17. The role of ancient tax in presenting and shaping imperial power is well examined at Purcell 2005.

18. See, most notably, Weber 1978: 965, Levi 1988: 29–33, Kiser 1994: esp. 291–2, Kiser & Kane 2007: 195. The farming of direct taxes is less anomalous in Asia, as will be clear later in this chapter.

over the medium term and hence not so suited to such contracting. Third, the profit motive encourages contractors to perform their jobs thoroughly, even when measuring and collecting are difficult. Tax farmers are well suited, for example, to the collection of customs dues, which demands rigorous and laborious inspection of cargoes. Fields of grain or orchards of fruit, on the other hand, are all but unmissable, and this deprives the tax farmer of one of his chief advantages.

Yet none of these reasons was enough to deter the Romans from using tax farmers to collect direct taxes. Such unusual vigor poses problems. What was it that made the farming of direct taxes so anomalously appealing to the rulers of the Roman Republic? The first step in answering this question is to develop some understanding of whose interests were being protected through this system. It is widely understood that by the end of the Republic, the equestrians who bought these tax farming contracts were powerful figures in Roman society.¹⁹ But does their power explain the widespread adoption of tax farming? Or, alternatively, does an examination of Rome's system reveal a practice well tailored to the interests of the elite political class? To answer these questions, it is worth situating Roman tax farming within a comparative context. Do we find that *publicani* are particularly empowered? Empowered compared to what? Only by examining other cases of tax farming can Rome's own system be judged against a meaningful scale of other possibilities.

A methodological note is necessary. Comparative history is never a simple enterprise, and that is especially true when straddling modernity and antiquity. Bloch explored the strengths and weaknesses of two types of comparison: those comparing cases widely divergent in time and space, and those comparing neighboring and similar cases in short time periods.²⁰ In this chapter, I will employ the former. The goal is to consider the broadest range of tax farming alternatives, and I will therefore draw upon comparanda that are as diverse as possible in time, space, and kind. Part of this is to take advantage of the chief benefit of distant comparison identified by Bloch—that “any analogies observed between them concerning such and such phenomena can obviously not be explained either by mutual influence or by a common origin”—but my decision is also a reaction against a common sense in the scholarship that absence of bureaucracy was unavoidable and renders contracting a *fait accompli*. I would contest both of those sentiments. By drawing upon the most diverse set of tax farmers I can find, I hope to show how broad a range of possibilities were on offer to the Romans, and by extension how precise were the choices they made in crafting their own idiosyncratic system.

19. See especially Levi 1988: 85–91, largely following Badian 1972a: 97–101.

20. Bloch 1967: 45–8.

WEAK CONTRACTORS AND STRONG CONTRACTORS

Tax farming is not innately harsh or gentle; it is neither oppressive nor mild. Its nature depends entirely on the form it adopts in each circumstance.²¹ So, imagine a spectrum with various different tax farming systems situated along it. At one end is a strong relative bargaining position for the state, and at the other end is a strong relative bargaining position for the tax farmers. The two poles emerge as ideal types.²² Weak tax farmers are those who:

- are bound by various regulations
- deal with a state both willing and able to enforce regulations
- enjoy short durations of contract
- have to provide substantial security
- have to compete with others to win contracts
- are reliant on the state for coercion

Strong tax farmers are those who:

- are bound by minor regulations, if any
- contract with a state incapable of enforcing its own regulations
- enjoy long durations of contract
- provide little or no security to ensure the fulfilment of their obligations
- do not compete with others for contracts
- have easy access to coercive means

How do Roman tax farmers fare according to this schema?

The extent to which *publicani* were tightly regulated is complicated. There were real limitations on that front, most obviously in the state's practical capacity to enforce its own regulation. The Romans lacked agents in the tax farms to monitor the activities of contractors, and when abuses did come to light, cumbersome communications between center and periphery slowed responses.²³ Even when all of this worked, moreover, a lack of political will could still thwart the process. When a dispute over *portoria* was referred to the senate in the winter of 60–59, for example, Cicero defied his own legal opinion by supporting the *publicani*.²⁴ At the same time he was also supporting the tax farmers against his better judgment when they were asking to have their contract price reduced for an Asian contract. He summed up their petition as “an odious business, a

21. Copland & Godley 1993: 67, where the focus is laid on “the *type* of farming arrangement employed and the *quality* of its management.”

22. Adapted from Butcher 1993: 19–20.

23. Kallet-Marx 1995: 147–8 for the examples of Priene and Oropus.

24. Thus Cicero's actions at Cic. Att. 2.16.4, with Jones 1974: 118. It is worth noting that the dispute seems to have been between Roman tax collectors and Roman merchants, all of whom were *cives*. Cf. Brunt 1988: 171 n. 97. On the governmental problems posed by ancient communications, see the summary with references at Ando 2000: 121–2.

shameful request and an acknowledgement of their own rashness.” He backed them nonetheless.²⁵ It was far easier to support the tax farmers than to pick a fight with them. While there was regulation of the tax farmers, therefore, the great weakness lay in its limited implementation, and Brunt was not wrong to take a dire view of the situation: “The great demerit of Republican law was indeed that it was not enforced.”²⁶

The effect of this day-to-day reality should not, however, be overstated, and it would be unfair to deny all Rome’s leaders a willingness to rein in the *publicani*. Contractors in the East appear to have been much more firmly constrained in the second century than they would be in the first, but even in the last decades of the Republic there were those who challenged the *publicani*.²⁷ Q. Scaevola became a byword for responsible government after his time in Asia, L. Lucullus apparently earned himself bequests for the various good deeds he did in the East, while A. Gabinius earned the ire of equestrians by curtailing their activities in Syria.²⁸ Moreover, rulings against the *publicani* in both centuries are well known, and we have no reason to think they were not enforced. Almost certainly within four years of Attalus III’s bequest in 133, the senate set a stern tone by finding against the *publicani* in a dispute with Pergamum.²⁹ Then, after Nicomedes III complained that all his subjects were now owned by the *publicani*, they outlawed the enslavement of allies.³⁰ Roman authorities denied the claims of contractors—though not necessarily of tax collectors—in a matter concerning a lake traditionally owned by the Temple of Artemis at Ephesus, of salt works operated by a Temple of Athena at Priene, of estates operated by Athena at Ilium, and of lands belonging to the Temple of Amphiarus at Oropus.³¹ Temples emerge as particularly capable of swaying the senate in

25. Cic. *Att.* 1.17.9: *invidiosa res, turpis postulatio et confessio temeritatis*.

26. Brunt 1990: 62. See also Pulliam 1924: 548 and Hopkins 1978: 39–44. The variety of different tax systems in the empire made it difficult to monitor the behavior of collectors, and this made corruption easier: Wolters 2007: 408–9. The situation did not improve in the empire as much as is sometimes thought (despite Tac. *Ann.* 1.2.2): to the already cited work of Brunt, add Levick 1994.

27. Kallet-Marx 1995: 119–20 highlights the distinction between time periods. Sources are, as always, a problem. The early period relies on epigraphic evidence to reconstruct relations, but this will always provide an artificially rosy view of Roman governance—cities would hardly erect inscriptions commemorating failed or rejected appeals to Rome and thus will disproportionately record beneficence. See Eckstein 1997: 366–7 and Ferrary 2002: 140–4.

28. Notably, all three were subjected to torrid abuse by parts of the equestrian order, for which see Brunt 1988: 152–3. Scaevola: See *MRR II*: 7 for references, with Broughton 1938: 535–6, Badian 1972a: 89, and Kallet-Marx 1995: 144–6, who shows well how subsequent judicial events reveal a stunning lack of support on the part of other senators for Scaevola’s policy. Lucullus: Plut. *Luc.* 20.5. Gabinius: Cic. *Prov. cons.* 9–14; *Pis.* 41; *Sest.* 71, with Braund 1983.

29. Sherk 1969: no. 12. Badian points out that we do not actually know what revenues the *publicani* were collecting at this early stage, though (note 14, this chapter) rents on the old royal estates must be the obvious candidates.

30. Diod. Sic. 36.3.1. For doubt about the incident’s veracity, see Sherwin-White 1984: 239; Kallet-Marx 1995: 139–40, with references. The episode’s survival in the tradition suggests that it was not beyond what contemporaries viewed as realistic.

31. Wallace 2014, which argues strongly that these were contractors working land and other forms of capital rather than tax collectors. Even if they are not tax farmers per se, however, such cases still nonetheless

disputes with contractors, and if a delegation played the right game it could even rouse the *populus* itself to its cause.³² Others, too, could exercise influence. When the auctions for Sicilian fruit taxes were moved to Rome, where Italian companies would have an advantage in the bidding, the tax farmers lobbied to have the grain tithes transferred as well. Instead, a prominent Sicilian convinced the Romans to keep the grain tithes auctioned locally, where powerful mainland tax farming companies were less likely to outbid local Sicilians.³³ Similarly, when *publicani* overbid on Eastern tax farms in 61, it took over a year of lobbying before they found a senate willing to lower the hammer price for them.³⁴ It was clear that contractors could not be certain that their deeds would go unnoticed or unpunished, nor that their senatorial regulators would unfailingly support them. They constantly had to weigh the risk of punishment against any prospective reward for overzealous collection, and in that sense, regulation served a purpose beyond the actual punishment of a few transgressors: it could deter the worst behavior before it ever took place.

When it comes to Rome's ability to regulate its contractors, then, the record was neither nonexistent nor perfect. The Romans certainly had their struggles in monitoring tax farmers effectively, but they were hardly alone in that.³⁵ In fact, compared to so many other tax farmers in history, Roman *publicani* were less free than might at first seem obvious. At the extreme end of the spectrum, where weak states "employed" strong contractors, there were cases in which tax farms were concessions to strong local figures who could not be eliminated. Powerful big men were persuaded to share revenues with the fisc in return for recognition from the overarching authority of the state. The state, on the other hand, was willing to recognize some of this local autonomy in order to receive a share of the profits. In parts of Southeast Asia, for example, Chinese elites already dominated their local communities when they were turned into tax farmers and local police. The weakness of the state here is clear: Chinese leaders retained their prior roles in both collecting money and maintaining order, and the state ceded to the tax collectors its own claim to a monopoly of violence.³⁶ This transition merely ratified the preexisting control of local powers. In other instances, the tax farmer was so strong that the system elided into something more akin to feudalism. Under the fiscal system of the Mughals, for example, tax farms were handed over to *zamindars*. In some cases, these were regular tax farmers and officials, who over time converted themselves into "a hereditary

pertain to the authorities' attitude to private enterprise in the provinces. See also Broughton 1938: 535 for instances of Roman mediation.

32. See the case of the *Battaces* at Glew 1987.

33. Cic. 2.Verr. 3.18

34. Badian 1972a: 100. MRR II: 188 contains the references.

35. Copland & Godley 1993: 61.

36. Dick 1993: 5–6.

gentry.” In other cases, however, the *zamindars* “were ancient hindu princes who survived as autonomous chieftains under Mughal rule.”³⁷ This arrangement “left a great deal of autonomy to local social leaders who had dominated community life before the coming of the Mughals.”³⁸ These tax farmers were so strong that they test the very definition of tax farming, but instead of ruling them out as comparanda, that strength should underscore how much more autonomy could have been granted to the *publicani*.

There is good reason to conclude that the form of tax farming adopted in each of these cases of tax farming reflected a high degree of bargaining power on the part of the tax farmers themselves. Contracting, in other words, was in part the product of tax farmers’ influence, and the terms of their agreements reflected that strength. That is, they got the systems they wanted. Rome’s *publicani*, however, enjoyed far less freedom of operation. A quick survey of the ideal types described here reveals that Roman contractors were burdened by four basic weaknesses.³⁹ These limitations on contractors’ behavior are important because they suggest that the system was not designed to cater to the tax farmers and probably reflects a relatively low degree of political sway. Instead, it seems that the political class had firm control over the contractors, and that the Roman fiscal system was a reflection of the politicians’ goals.

The first obstacle for the contractors was that, unlike the hereditary tax collectors mentioned above, Roman tax farmers were held to short, five-year terms. There have been similar cases elsewhere. England, for example, shortened contracts from seven years to three years to one year, before abolishing them all together in the General Farm of 1604, while the terms of the Law of Agyrrhios suggest that the Athenians were letting contracts for just one year. Yet short terms have not been the norm for tax farming across the globe.⁴⁰ Where one does find short contracts, moreover, there tend to be compensating factors in favor of the tax farmer. In the system employed by the Maratha in India, for example, the contractor (*kamavisdar*) was only offered annual contracts, but these contracts tended to be held consecutively over five, ten, or even more years, sweetening the deal for the contractor.⁴¹ Similarly, the East India Company began with one-year terms, but this was subsequently lengthened to five years before rights to tax collection were ratified *in perpetuum* under the Permanent Settlement of 1793.⁴² Ottoman *malikaneci* held their farms for life,

37. Ray & Ray 1975: 82–3.

38. Stein 2010: 164. See also the Ottoman *timar* system, in which landed soldiers extracted rents from those who worked the land under them (Copland & Godley 1993: 51; Barkey 2008: 78, 89–90).

39. A different list can be found at Kiser & Kane 2007: 201–2.

40. Copland & Godley 1993: 49–50, Johnson & Koyama 2014: 16–7.

41. Gordon 1977: 29, Stein 2010: 190–1.

42. Bose 1993: 112, Stein 2010: 208.

and the Mughal *zamindaris* were even hereditary.⁴³ Although not unique, then, the brevity of the Roman quinquennium was more than respectable.⁴⁴

The second restriction was defined by a system of guarantees provided by the contractors in the form of an enormous deposit (*praedia*) and a set of guarantors (*praedes*).⁴⁵ According to the *monumentum Ephesenum*, tax farmers had to provide a bond of up to 500 percent of their contract before collection of taxes could commence.⁴⁶ This was asking a lot: a comparable law from Athens, for example, stipulated a set of “solvent guarantors,” but stopped short of demanding security as well.⁴⁷ Although such stiff requirements may have been welcomed by the wealthiest contractors as a barrier to entry by less prominent competitors, it nonetheless demonstrates an impressive ability on the part of the state to command the resources of its contractors. If *publicani* ignored the terms of their contracts, they were liable to cede vast sums to the state. Moreover, since tax farmers were not required to pay the state for their contract until autumn or later, they were forced to pay interest on all the revenue they collected prior to their paying off their bids. That is, if the tax farmers collected 1 million sesterces in July, but were not required to hand over their payments to the state until October, they had to pay interest on the 1 million for the two intervening months in order to cover any profits that might have been accrued through short-term investments.⁴⁸

The third constraint on tax farmers was in the recourse to bidding. Competitive bidding was the norm in early modern Europe, although it was abandoned by the English in the seventeenth century and by the French from the sixteenth century onward.⁴⁹ The *malikaneci* under the Ottomans also bid, but then retained the contract for life. Many other systems, however, involved no bidding. The *kamavisdar* in the Maratha Empire, as mentioned above, was bound by annual contracts, but was appointed by the peshwa without bidding. This is less unusual than European historians might assume: “Despite

43. Barkey 2008: 232, Copland & Godley 1993, Ray & Ray 1975: 82–3.

44. See below for discussion of how often *publicani* held successive contracts.

45. Badian 1972a: 69–71, Brunt 1990: 361, Lintott 1993: 86–7, Aubert 1994: 327–8, Nicolet 2000: 286. Security was also demanded for supply contracts: Rainier 2012: 178.

46. Cottier 2008: II 111 and probably 114. Importantly, security had to be approved by the consuls or the treasury before the collection of taxes could begin. See also Lintott 1993: 86–7: “The elaborate procedure for obtaining security suggests that, even if there was a cash deposit, it was comparatively unimportant.” See also Lintott 1993: 89 and Corbier 2008: 220 for the date of payments.

47. Line 29 of the Law of Agyrrhios at Stroud 1998: 9. Osborne & Rhodes 2003: 118–29 speculate that a deposit is left out of the text because it was already a part of the preexisting law, which is possible, but this argument implies that guarantors—who are mentioned in the Agyrrhios text—were an innovation, which seems unlikely.

48. Cic. 2.Verr. 3.169. On the date of payments, see note 86, this chapter. Similarly, *publicani* transferred money for the state and acted as bankers for the provincial administration, but again were theoretically required to pay interest on all money deposited with them (though in practice they did not always do so: Badian 1972a: 77).

49. Johnson 2006: 963–4, pointing out that bidding does not necessarily increase state revenues, as well as Johnson & Koyama 2014.

the obvious financial advantages, public bidding seems to have been the exception rather than the rule.”⁵⁰ There were two main reasons for this. The first was that the higher contract prices brought by auctions demanded more predatory methods from the tax farmers, whereas a fixed price ensured that the tax farmers could make an acceptable living without crushing the tax base. The second was that, as we saw, tax farms often represented the ratification of preexisting powers, and states were not always willing or able to force locals into competition at auctions.

At Rome, however, bidding was a central pillar of the contracting system.⁵¹ How competitive was it? Hopkins hypothesized that contractors colluded to keep auction prices low.⁵² Brunt, moreover, doubted whether auctions for tax farming contracts were actually competitive, since existing companies had already invested in their infrastructure and could therefore bid beyond those who had to factor new overheads into their estimates.⁵³ Evidence is problematic. Tacitus possibly refers to firms from the Republic that were still in existence under Nero, though the precise meaning of the text is unclear: “many of the companies collecting state revenues were established by consuls and tribunes of the *plebs* when the liberty of the Roman people was still fierce.”⁵⁴ This must imply that some tax farming companies that had been formed in the first or second century BCE were still operating in the first century AD, but it is not clear that they possessed the same farms without interruption. Even if companies did tend to win successive contracts, there is no guarantee that rivals would not compete in the auctions anyway; perhaps they spied opportunities or genuinely believed they could run more efficient operations despite startup costs. Perhaps they drove up the auction price to ensure that the capital of rivals was not freed up for aggressive investment elsewhere.

It is difficult to draw conclusions from this one imperial source. Ideally, there would be voluminous evidence from the Republican period, but alas, there is the usual shortage of good information, and what has survived tends to focus on anomalous episodes of conflict. There are, however, clues that competitive bidding was the norm in the Republic. The weakest evidence pertains to the auctions of 61, when bidding was fierce for tax farms opened up by Pompey’s new Eastern conquests: “The result was a considerable overbid, showing the strength of competition; which seems to indicate a healthy functioning of the system as a whole.”⁵⁵ Bidding was so inflated, in fact, that two years later the hammer price had to be lowered by one-third. This episode may well, however, be anomalous.

50. Copland & Godley 1993: 61.

51. The best treatment is at Nicolet 2000: 310–4.

52. Hopkins 1978: 44.

53. Brunt 1988: 165, Brunt 1990: 369–70.

54. Tac. *Ann.* 13.50.

55. Badian 1972a: 100.

Because this was the first round of contracts for new (or newly reopened) tax farms, no company had the advantages of prior investment, to which Brunt pointed, and Badian has suggested that the enfranchisement of the Italians also meant that bids were fueled by a new influx of capital. Two other auctions, however, provide stronger evidence that bidding was competitive. In 184, the censors had their initial contracts canceled because *publicani* complained that the prices prevented any profits. Even after expelling the original holders from the auctions, however, they reissued the contracts to new bidders at only slightly lower prices, revealing that rivals must have been bidding right up to the limits of profitability.⁵⁶ In 169, the censors expelled from the auctions all those who had won contracts five years earlier, and despite political strife, the bidding carried on without a dearth of competitors.⁵⁷ There can be no doubt that all three episodes reveal numerous companies willing and able to compete at auctions, and it would be brave to conclude that bidding was passive in other years. Each of these auctions—the only auctions for which we have evidence—all reveal high levels of competition. Caesar, criticizing the lack of competition at the auctions of the Aedui, reflects what seems to have been the norm.⁵⁸

Beyond these three factors—short contracts, high demands for security, and competitive bidding at auctions—there was one final constraint on contractors that was by far the most important. Unlike so many other tax farmers in history, *publicani* were not empowered to coerce taxpayers and they possessed no administrative power beyond the collection of their payments. The Chinese tax farmers in Southeast Asia exercised both tax collection and policing functions for the state, as discussed earlier.⁵⁹ French tax farmers in the eighteenth century employed some 21,000 armed, uniformed men as a paramilitary force.⁶⁰ *Zamindars* were given coercive powers by the East India Company in 1799.⁶¹ Early Maratha tax collectors were not businessmen so much as military figures, and even when they were replaced by the more peaceful *kamavisdars*, these were still granted garrisons and they retained a sizable guard. Records of a *kamavisdar's* escort in Bhopal probably reveal what a normal retinue was like: ten cavalymen, four archers, and fifteen infantry, as well as a team of other administrative and religious staff. As Gordon notes, “In the early forays, the

56. Livy 39.44.8. Plut. *Cat. Mai.* 19 makes no explicit mention of revenue contracts in this episode, but the censors must have been auctioning both supply contracts and indirect tax farms.

57. Livy 43.16.2–16.

58. Caes. *BGall.* 1.17.3. Given the sources' fixation on episodes of conflict, evidence was always going to favor instances of heavy bidding, and it should not be a surprise if there is no evidence of uneventful auctions with little competitive bidding.

59. Dick 1993: 5–6.

60. Schama 1989: 174. Schama 1989: 175–6 also points out that French households were legally required to purchase a certain amount of salt each year from the tax farmers who controlled the market. This is a form of coercion unknown to the Romans.

61. Bose 1993: 115.

collector was a *rakhwalla* [and] paid *rakhwalli*, literally meaning money paid for not devastating an area.⁶² Even more extreme were medieval contractors who were in essence private armies employed to squeeze taxes from those in walled cities and other strongholds.⁶³ If taxpayers retreated behind a city wall to avoid the taxman, these contractors could assault or besiege the community to force payments.

By contrast, *publicani* were very constrained in their use of force. Although customs collectors had the right to inspect cargoes thoroughly, apparently even opening sealed correspondence, their coercive abilities were strictly defined.⁶⁴ *Publicani* obviously needed guards to protect their money, but lines 32–40 of the *Lex Portorii Asiae* give strict guidelines as to the location, size and placement of guardposts (*paraphylakai*), ensuring that guards were kept away from populations.⁶⁵ If a tax farmer conducted his inspection and felt that the declaration of the traveler was incomplete or that there was some kind of smuggling going on, he was only permitted to seize goods in certain circumstances (for example, the seizure of animals by collectors of the *scriptura* or the impounding of imports in preparation for legal action in ports), but punishments for transgressions were clearly outlined.⁶⁶ If the taxpayer and the tax farmer disagreed, the former was assumed by regulation to be in the right, and it was the latter's responsibility to initiate the process of appeal.⁶⁷ Enforcement of this regulation was not perfect, but tax farming in Rome does seem to have been relatively lacking in coercion. The saga of corruption told by Cicero in the Verrines details one governor's mismanagement of this framework, but the absence of violence on the part of the *publicani* is striking.

With respect to direct taxes in Sicily and Asia, coercion was even less present thanks to the institution of the *pactio*, a contract drawn up in advance stipulating the amount of tax to be paid at harvest. In Sicily, the tax farmer made an individual *pactio* with each taxpayer, a copy of which was retained by each party and a third kept by the local city. This avoided the tasks of measurement, negotiation, and seizure that accompanied other forms of tax collection.⁶⁸ It is also possible that the act of collecting taxes was not carried out by the contractor at

62. Gordon 1977: 16–7, 20–1.

63. Copland & Godley 1993: 62, also citing a 1644 example in which the French Crown granted two companies of fusiliers to a group of *gabelliers*.

64. Brunt 1990: 358, Lintott 1993: 87. Inspection: Plaut. *Trin.* 794–96 and Plut. *Mor.* 518E, with De Laet 1949: 107. On the power of magistrates to regulate supply contracts, see Rainier 2012: 183–4.

65. Cic. *Prov. cons.* 10 also refers to the tax farmers' guards (*custodiae*), which were removed by A. Gabinius as proconsul in Syria.

66. For details, see the admirably clear presentation at Brunt 1990: 358–9, with references.

67. Cic. 2.Verr. 3.26–7.

68. The system is outlined at Carcopino 1919, Scramuzza 1933: 237–40, Badian 1972a: 79–80, Lintott 1993: 75, Kunkel & Wittmann 1995: 342–44, and Nicolet 2000: 279–80. In the absence of a *pactio*, the whole process could take place on the threshing floor, where again the task of measurement was relatively simple, and the same must have been the case for unpredictable harvests such as those for fruits (see Cic. 2.Verr. 3.18).

all, but by a local intermediary under the *magistratus Sicilus*, and this would offer further protection to the taxpayer.⁶⁹ In Asia, *publicani* seem at first to have collected the taxes from each payer, but this confrontational approach was replaced by a system in which tax farmers negotiated *pactiones* with entire communities, which were then in charge of collecting the payment themselves from individual farmers.⁷⁰ The negotiation of the *pactio* became the central event in the Asian tax farming process. With the governor acting as referee, each side would try to extract the most profitable deal possible for the next five years, but as a site of conflict, with nothing so far to collect, it was much less violent than the act of negotiation and collection which would have taken place at the harvest.⁷¹ Realizing that they could not monitor every transaction, then, Roman rulers created a system of *pactiones* that reduced the sites of interaction to one per city and that enhanced the bargaining power of the taxpayers by allowing them to treat corporately with the *publicani*. Without the right to collect the tax from each payer, the *publicani* were shifted into the business of transporting and perhaps marketing the taxes collected by others.⁷² Profits were still high,

69. Bell 2007: 189–90.

70. Broughton 1938: 535–38 provides the clearest account, though the methods adopted before the First Mithridatic War are unclear (Rostovtzeff 1941: 811–13, 817). The intense hatred toward the *publicani* is more easily understood if they were able to treat with individual taxpayers, a point which is extended at Kunkel & Wittmann 1995: 347n169, to conclude that this was the case all the way down to Caesar's dictatorship.

71. Much depended on the probity of the governor in these proceedings, and Cicero was relieved that he never had to walk the tightrope between high equestrian profits and a healthy local tax base (Cic. *Att.* 5.13.1; 5.14.1). This is to Cicero's credit. A less scrupulous governor could see the negotiation as a chance to take enormous bribes from either party. This is discussed in the next chapter, but see Badian 1972a: 79–80. There are three strong reasons for believing that the contracts were quinquennial. First, Cicero refers to communities paying (and not paying) according to *lustra* (Cic. *Att.* 6.2.5). Second, he knew that the *pactiones* for his province were drawn up before July 26 in 51, but made no mention even of impending negotiations by the time of his last Cilician letter in August of 50, nor (third) is his eagerness to serve just one year as governor ever related to a desire to escape annual bargaining over *pactiones*, a set of events he was eager to avoid in 51 (Cic. *Att.* 5.13.1). *Lustra* were presumably adopted to avoid the necessity of annual movement of collectors and taxes, and to coincide with the terms of the *publicani*'s own *leges censoriae*. Take, for example, Cic. *Att.* 6.2.5. In this case the local taxpayers and the collectors appear to have been happy to pay off the obligations of more than one *lustrum*, and possibly two whole *lustra*, despite the fact that this would roughly equal 100 percent of a year's harvest! Such payments of arrears must surely have been in cash or metals—how could they have five or ten years' worth of grain on hand?—and it is difficult to say how often this was the case. The Asian Customs Law also revolves around five-year blocks: Cottier et al. 2008: 4–5. Broughton 1938: 537n13 adheres to the view that contracts were let for five years. For the opposite view, see Rostovtzeff 1941: 967 and Magie 1950: 1054, the latter of whom gives no argument beyond its seeming more probable.

72. Thus the tax exemption their export grain enjoyed in line 75 of the Asian Tax Law. There is some dispute about whether the contractors actually collected the Asian tithe in cash or kind. De Ligt 2002: 55–7 offers sensible criticisms of the view that the tax was collected in kind, but ultimately his murky evidence is no less circumstantial than his opponents'. His extrapolations from a time of civil war play a dangerous game, while when it comes to line 75 of the Asian Tax Law, the simplest reading to my mind still confirms Nicolet's original deduction that the *publicani* must have been collecting and moving grain (Nicolet 2000: 290–1). Payments in cash probably were the norm, however, if tax farmers had to collect several years in arrears—see Cic. *Att.* 6.2.5 in the preceding footnote—but this was probably an unavoidable exception. Possessing 10 percent of the grain harvest and 20 percent of fruits would have made them major players in agricultural trade, and possibly in contracts for supplying the Roman armies (Broughton 1938: 540; Badian 1972a: 36–7; and Rathbone 2003: 159, though see Erdkamp 1995: 186). The extent to which transportation was the responsibility of the community is not clear, and the *Lex portorii Asiae* may suggest that communities had to move the tax to fixed hubs before it

but the *publicani* had few opportunities to maximize their revenues by manhandling individual payers. Through various regulations and administrative structures, therefore, the Romans had very effectively managed to reduce the opportunities and means for violence from the *publicani*.

Roman tax farmers emerge from such an analysis as respectably—though far from completely—constrained in their operations. Their terms of contract were relatively short, they had to provide large security on their contracts, they bid at auction against each other, they had few opportunities to use force, and there was extensive regulation restricting their activities. This is, of course, not to say that they were powerless. Technological limitations meant that regulation was only imperfectly enforced, while class affinity between businessmen and senators meant that regulators were often (though not always) swayed to support tax farmers against their better judgment. Rome certainly does not sit at the very strong end of the state spectrum, therefore, but it does occupy a space toward that end. The *publicani* would no doubt have envied the independence, the large private armies, the lifelong contracts, and the overall bargaining positions of tax farmers in the Ottoman Empire, in India, in Southeast Asia, or in other parts of pre-modern Europe.

If the terms of Roman tax farmers were not ones that the contractors would have preferred, then it stands to reason that this was not a system they imposed themselves. If the system of tax collection had more obviously favored the contractors, then it might have been safe to conclude that the Romans employed tax farming because the contractors demanded it. Instead, the evidence suggests that the political leaders designed the system themselves, and hence Rome's rulers had their own reasons to employ tax farming. The fiscal system, in other words, reflected aristocratic goals, and needs to be understood as a manifestation of Rome's peculiarly aristocratic political system.

THE STATE AND CONTRACTORS

The question therefore remains: Why did the Romans—and specifically the Roman political elite—employ tax farmers so pervasively in the Republic?

The most common explanation for a long time was that the state simply lacked the bureaucratic means to collect taxes itself, and so tax farming was the only resort.⁷³ Badian emphasized that “state machinery” was “minimal,” and that “the early Roman Republic did not regard economic operations as, in principle, in its sphere at all.”⁷⁴ Weber argued not only “that Rome had no permanent

was picked up by *publicani* (Cottier et al. 2008: 130–1). This is the system used in the Thessalian grain decree of 129 (Garnsey, Gallant & Rathbone 1984) For transportation in the Sicilian context, see Lintott 1993: 76.

73. See, for example, Brunt 1988: 164, 177, Brunt 1990: 354–56, and Crone 1989: 39.

74. Badian 1972a: 14–5.

financial bureaucracy,” but also that it could not “have had one while it remained a republic and a city-state.”⁷⁵ Much of this is right, especially regarding the first centuries of the Republic. Over time, however, as Rome gained access to new resources and faced new challenges, the state’s lack of bureaucracy becomes less a cause of tax farming and more a common symptom of some other underlying aversion to “stateness.” Levi sums up the point: “The argument that tax farming developed in the Republic as a means of extracting revenues by a government lacking an elaborate bureaucracy begs the central issue.”⁷⁶ There are two proofs that tax farming was not a necessary method for raising revenues in the Republic. The first is that there was no universal rule that prohibited the establishment or employment of a (larger) state bureaucracy in other Mediterranean societies, and the examples of Ptolemaic Egypt and Hellenistic Rhodes proved that to the Romans as much as they prove it to us.⁷⁷ Through these two cases—both early allies of the Romans—Rome was in contact with thicker bureaucracies that could at any point have been adapted or adopted. Instead, the Romans chose to persevere with the practices and institutions they had. The second and more decisive point, however, is that as soon as the Republic ended, the practice of tax farming was progressively curtailed without an explosion in bureaucracy. Caesar began the process by swiftly eliminating tax farmers in the East, delegating collection and transportation to local cities and reducing the overall tax burden by a third in the process.⁷⁸ This discount is unlikely to have been at the expense of Rome’s treasury, so Caesar was granting provincial cities the autonomy they craved and reducing their tax burden, all without the creation of a thick Roman bureaucracy or any fiscal sacrifice on his own part. His reform reveals Roman tax farming in the East to be the needless rent-seeking device that it was. Caesar demonstrated that the system could have been abolished at any time without loss of revenues or bureaucratic revolution. Instead, it was retained, and given that technological conditions were the same on either side of Caesar’s rise to power, the explanation for the change must be found in the altered political circumstances.

75. Weber 1976: 316.

76. Levi 1988: 81–2, with the same point made by Hampus Lyttkens 2012: 100–1 for Athens. Levi also rightly acknowledges that bureaucracy was not the default mechanism for solving public problems that it has since become.

77. See the system of royal Egyptian banks and granaries at Manning 2003: 56–60 or Manning 2007: 449–50, 457–58, with Vanderpe 2000: 176–8. For Rhodes, Gabrielsen 1997: 80–2. Erdkamp 1998: 17 argues that contracting in the early modern period emerged *with* bureaucracy, not in the absence of it. Contracting for army supplies was not found in fifteenth and early sixteenth centuries, but was in Britain and France in the eighteenth century, when bureaucracy was taking off. Finally, some Roman governors seem to have experimented with the use of their own *familia* to collect taxes (perhaps for nefarious reasons): Cic. *Pis.* 87.

78. App. *B.Civ.* 5.4; Dio Cass. 42.6.3; Plut. *Caes.* 48, with Neesen 1980: 12–3 and Kiser & Kane 2007: 205. Jones 1974: 164–6 argued that it was the shift from variable tithes to fixed poll taxes that did in the tax farmers, since the latter were only suited to collecting unpredictable, measurement-intensive taxes. Brunt, however, disproved this view at Jones 1974: 180–2, as does Levi 1988: 85.

A second explanation for Rome's adherence to tax farming was that direct taxes in the Republic's provinces tended to be well suited to tax farming, because they revolved around tithes, quotas, and other fluctuating forms of payment. According to Jones, these less predictable measures were more efficiently collected by profit-motivated tax farmers than by state officials, because the former would more thoroughly embrace the job of measuring and seizing what was due. Moreover, state agents could easily embezzle taxes when the state had no idea how much was due this year or the next, and were therefore best avoided.⁷⁹ To make this theory work, Jones had to argue that the shift to autocracy was accompanied by a movement to fixed payments, like poll taxes and land taxes. According to this view, state officials could be employed because the emperors knew how much was due every year and could thus easily monitor corruption.⁸⁰ There is, however, little evidence to support the notion that fluctuating quotas disappeared in the empire.⁸¹ In the case just discussed, for example, there is nothing to suggest that the tithe system was abolished when Caesar delegated the tax farmers' role to the Asian cities—on the contrary, Appian's Antony speaks of the tithe system in glowing terms, and this must surely prove that Caesar retained it.⁸² The empire persisted with the same extraordinary variety of taxes that characterized the Republic, and there was no general shift away from tithes. Given the continuity of taxes collected before and after Caesar, therefore, these kinds of changes cannot be used to explain discontinuities in collection practices. Once again, it will be the change from republic to autocracy that explains the divergent use of tax farming.

A third theory for tax farming's appeals at Rome is offered by Kiser and Kane, who envisage an agency relationship between the senate (as principal) and magistrates (as administrators).⁸³ According to this theory, senators had the institutional power to control regulation but lacked the incentives, because the "revolving door" of office holding meant that individual senators expected to govern provinces in the future, and hence did not want to eliminate the means to profit when their turn came up. Since this year's regulators hoped to be next year's exploiters, there was a conflict of interest undermining effective control. Aside from a fundamental misapplication of agency theory to the pattern of Roman office holding, Kiser and Kane have misconstrued the hopes that senators had for provincial profiteering. Governors and their staffs did not need tax farmers to make profits in the provinces—a point explored in the next chapter—and few senators ever expected to govern a province in the future. Most junior senators would never reach the level of a praetorship, and the most

79. Jones 1974: 155–6, 165–8.

80. Jones 1974: 165–8.

81. See Brunt at Jones 1974: 181–3, as well as the lengthy examination at Neesen 1980.

82. App. *B.Civ.* 5.4.

83. Kiser & Kane 2007.

powerful senators of all, those former praetors and consuls who had already governed provinces, would never do so again. Having already had their stint as governors, they had no incentive to advocate for lax regulation.

Kiser and Kane also point to the senators' investment interests, since by the end of the Republic many had come to invest in tax farming firms themselves. This brings us to the most complete explanation for Roman tax farming. According to Levi, the Republic adopted tax farming because it responded to three incentives that apply universally to all states: first, tax farming appeals to rulers because contractors pay up front and therefore deliver revenues sooner;⁸⁴ second, the transaction costs of running a state bureaucracy were unsustainably high; third, *publicani* had enough bargaining power in the Late Republic to prevent change to the status quo.⁸⁵ The model is an enlightening attempt to explain various phenomena of taxation history within the specific historical context of the Republic, but it ultimately fails to tackle the specific problem of Roman tax farming. Each of her points can be dealt with in turn.

Levi's first factor is her most problematic. There is no doubt that immediacy of payment was attractive to many regimes that employed tax farming, but line 100 of the *Monumentum Ephesenum* shows that *publicani* did not pay for their contracts until the ides of October, meaning that the treasury did not receive payment from the tax farmers until after the *publicani* had themselves collected the payments from their tax farms.⁸⁶ Lintott has even argued that tithe collectors did not have to pay for their quinquennial contracts until the full five years had elapsed.⁸⁷ In other words, revenue was actually delayed under the Roman system because it allowed the contractors to raise the tax before handing over their obligation to the state. In no way did tax farming increase the immediacy of revenues—on the contrary, it probably delayed revenues. The structuring of the payments reveals no hurry on the part of the state to receive its payments.

Levi then turns to transaction costs. Lack of data unfortunately makes an accurate appreciation of transaction costs all but impossible. Jones tabulated figures from the Verrines and found the profits of *publicani* at Herbita ranging from 8 percent on one contract to 215 percent on another.⁸⁸ All the contracts elucidated in the prosecution of Verres, however, were chosen by Cicero

84. Levi is not alone in stressing these "discount rates" of Roman principals, or the amount they were willing to forgo in order to receive their money sooner. See also Weber 1976: 63, who is criticized at Kiser & Kane 2007: 198–9 for overemphasizing the autonomy of the consuls. This is fair in most respects, but Weber's insight can, however, be justly extended over the entire ruling class.

85. Levi 1988.

86. Corbier 2008: 219–20, where it is argued that the date reflects the completion of the harvest and the impending end of the sailing season. It is also likely that the late payment date allowed a balance to be calculated between contracts for revenue and contracts for supply, with only the balance needing to be paid in October. Classic examples of tax farming systems designed to bring immediate cash into the treasury include the Ottoman *malikane* system and the Maratha *kamavisdar* system: see Barkey 2008: 232 and Gordon 1977: 22.

87. Lintott 1993: 89–90.

88. Jones 1974: 120n35.

as anomalies, and so it is difficult to extrapolate from them. Perhaps the clearer evidence is from Caesar's removal of tax farmers from Asia. As discussed above, the cessation of tax farming in Asia brought with it a one-third reduction in taxes paid, which suggests that tax farmers were making profits somewhere in the vicinity of 30 percent. Was this higher than the method adopted under the empire? It is unlikely that Caesar would have adopted a tax system that lost him money, especially given that he could have cut the rate by 20 percent and still emerged a hero. Caesar also reminds us that the intensive bureaucratic system of the great kingdoms was not the only alternative. In his case, he merely allowed the cities, who were already collecting the taxes from individuals in their areas, to ship them on as well. There was no explosion of Roman bureaucracy here, and thus it is hard to believe that any new transaction costs rivaled the old profit margins lost to the tax farmers. Moreover, transaction costs also have to include political costs, and there can be no doubt that the tax farmers generated ever greater levels of ire against Rome. In fact, Levi herself admits that this may have pushed transaction costs higher under the *publicani* than they would have been under an alternative system.⁸⁹ Not only did the Romans sacrifice a profit margin to keep the *publicani* in business, but they also watched as resentment of contractors on the ground drove up the cost of security. Even if this were somehow unknowable before the massacre of thousands of Italian businessmen in Asia in 88, it was certainly unmistakable afterwards.

Levi turns next to relative bargaining power as a third explanation for why the Romans did not dispense with *publicani* once they were established in a province.⁹⁰ Levi argues that the costs of political careers increased over time, and that only *equites* possessed the capital needed to fund the careers of magistrates. Senators were therefore unwilling to pursue policies that curbed tax farming because this ran counter to the interests of their creditors. Moreover, as senators themselves came to invest in contracts after Sulla, any attack on tax farming would have run counter to the financial interests of the rulers themselves.⁹¹ Levi's argument is, therefore, in two parts. First, demand for their capital gave equestrians the bargaining power needed to prevent any change to their livelihood. Second, the senators were unwilling to overhaul the tax system because they themselves had come to profit from it. Each part can be countered separately.

Demand for credit may have governed the motivations of many senators, but certainly not those who were best positioned to overhaul policy. Pompey, for example, opened up enormous opportunities for *publicani* in the East, though

89. Levi 1988: 93.

90. Levi 1988: 85–92.

91. This thesis fundamentally derives from Badian 1972a: 101–16. For a brief survey of the rising costs of political careers, see Rosillo López 2010a: 44–8, and for reflections on the divergent interests within different sections of the moneyed equestrian order, see still Broughton 1969.

he himself was without doubt the richest man in Rome and needed financial help from nobody. Crassus, the second richest man in Rome, was the foremost advocate—even agitator, perhaps—of the publicans’ claim to have their obligations reduced in 60 and 59. He, however, was famed for his lending rather than his borrowing.⁹² And before this age in which senators were investing in contracts, policymakers like M. Crassus Mucianus and M. Drusus towered above their peers in wealth.⁹³ These were the sorts of men who decided how the state would operate, and the idea that they needed the capital of *publicani* would have made them scoff. If anything, these senatorial leaders would benefit from an attack on the increasing power of the *equites*, and Hopkins recently showed that equestrian commerce was just as dependent on senatorial capital as the careers of young senators were on equestrian capital.⁹⁴ This is not to disagree with Levi that the relative bargaining power of the *publicani* had risen in the Late Republic, nor is it to claim that Pompey would have run no risks by threatening the equestrians’ profits, merely that the mechanism of money lending does not explain the passivity of Roman senators.⁹⁵ Those most able to bring about change, in short, were those least dependent on equestrian finances.

Levi also turned to the senators’ personal interests in contracts. Badian was almost certainly right that Sulla’s new senate of the 70s and 60s incorporated equestrians who were not expected to abandon shares they already held in contracting companies. This no doubt contributed to the cultural shift that saw senators in the 60s and 50s investing in tax farms.⁹⁶ Does this explain the proliferation of tax farms in the Late Republic? The problem with this view is that senators did nothing to abolish various constraints on the potential profits of tax farming. If senators were driven by their eagerness for profits, then the question cuts both ways. The comparative approach discussed earlier forces us to ask not only why they persevered with tax farming but also why they did not deregulate it for even greater profits. Why were the *publicani* still forced to pay interest on their payments in the period between harvest and payment to the treasury, thus diminishing profits from money lending in that time?⁹⁷ Why were they so limited in the force they could deploy? A “Roman East India Company” would have had the arms and coercive means to generate far greater

92. Badian 1972a: 111 took it for granted that Crassus owned shares in the affected tax farming firms. For the scale of Pompey’s and Crassus’ wealth, see Badian 1968: 82 and Shatzman 1975: 375–78, 389–93. For senatorial wealth in general, see Shatzman 1975: *passim*. For Crassus’ role in the publicans’ appeal, see Cic. *Att.* 1.17.9. For the power he derived from his money lending, see Ward 1977: 76–7.

93. Shatzman 1975: 253–54, 276–77. See chapter 14, this volume.

94. Hopkins 2008: 189–90.

95. Cicero probably captures the bargaining power of the equestrians, even if in extreme form, at *Att.* 1.17.9 when he fears a complete rupture between the senate and the equestrians. The equestrians held the ability to severely disturb the status quo, and this supports Levi’s case that the *publicani* had a significant bargaining position, though not for her reasons.

96. See note 91, this chapter. See also Kiser & Kane 2007: esp. 200.

97. See note 48, this chapter.

profits for the enrichment of elite Romans. Alternatively, land in tax farms could have been seized and sold to the elite, in which case Roman landowners would have enjoyed lucrative rents. This would, of course, have threatened a higher rate of discontent, but that was a problem for the treasury or for whoever was in office, not the private resources of profiteering aristocrats. Comparative history reveals a wide array of possible tax farming systems, and while the financial interests of Roman senators might be able to explain tax farming's survival, it struggles to explain the tax system's particular guises. If Levi were right that the financial interests of rulers determined the state's choice of tax collection systems, then I would expect to see those tax farmers given an even freer hand in generating profits.

Rome's particular form of tax farming cannot be explained by Levi's three factors. Her view ultimately revolves around the belief that tax farming delivered the greatest and most convenient revenue to the state by delivering a fixed sum, up front and without major transaction or political costs. The starting point for Levi's thesis is the rational assumption that rulers will seek to maximize state revenue because this is in their interests.⁹⁸ Those of us in the modern world would usually take this for granted, but Rome is a peculiar case in this regard. For Roman policymakers, the treasury offered very little: its bounty was only on offer in the rare years when one held a magistracy, and even then the senate had strict controls over who could take what. Increasing the wealth of the state was of little use to individual aristocrats. What most concerned them was the maintenance of the existing relationship between state and society, and from this perspective, tax farming was an ideal way to collect revenues.

ARISTOCRACY AND CONTRACTORS

I asked earlier why Rome employed tax farmers so pervasively, but perhaps there is a better way of framing the question: What advantages did tax farming offer to Rome's aristocratic rulers? It is important to emphasize that there are two aspects to the problem: Why was tax farming adopted in the first place? and Why did it remain in favor until the end of the Republic? I will close this chapter by offering three answers. The first is that contracting provided expertise without demanding any administrative competence from the aristocracy. The second is that contracting ensured that state revenues were paid directly to the treasury without the risk that aristocratic rivals would mismanage or embezzle them. The third is that contracting became an easily manipulable way of capping gross taxation. The first two explanations address both why tax farming was instituted and why later generations persevered with it, while the

98. See also Kiser 1994 and Kiser & Kane 2007.

final answer addresses the problem of how a system promoted by so divisive a figure as C. Gracchus generated consensus so strong that it became the default tax system in new provinces of the East.

Tax farming in the Roman Republic has to be explained within the terms of the aristocratic culture that controlled it. The great leap forward for tax farming took place in 123, when C. Gracchus established a new tax farm for Asia, since this was the moment when it became normal to auction large foreign farms for the collection of direct taxes (in this case, a tithe of agricultural production). To the extent that this was the most calculated, premeditated, and consequential reform in Rome's fiscal history, it is the step that most requires—and is most likely to reward—explanation. How his fiscal reform fit in with the rest of his legislative program will be addressed in chapter 6, but his system clearly found favor and it is worth asking how he so successfully won his peers' approval.

When he sat down to draft his new tax farm, Gracchus had no idea who would be governing the province in the future: the figure might or might not be competent, familiar with Asian cities, criminally venal, or distracted by other demands of the job. Gracchus had to design a tax system that catered to a set of unprepared leaders. For his aristocratic peers, there was remarkably little specific training for the role of governor. Most had some training in oratory and law, and all had some exposure to the military, but the aristocracy was essentially amateur.⁹⁹ The most distinguished could take a praetorship or even a consulship for granted, but even he did not know where he would be governing or what the conditions would be when he arrived. It thus became impossible—even if young leaders had the desire to do so—to train for the job. The demands involved in governing Sardinia were different from those involved in governing Asia. Some provinces were more warlike than others, some were more urbanized, some had plenty of free cities, some had very few. There was no incentive to learn the skills needed to govern a particular province because there was no way to know ahead of time which province would be assigned. Nobody, therefore, was expected to have expertise specific to a province. Perhaps more extreme were the experiences of quaestors—elected officials responsible for finance—which not only varied according to location, but depended on the superior magistrates they served, who could be anything from lazy to hyperactive, from hideously venal to sternly virtuous, from soldiers to jurists. Circumstances could present peace or (with luck!) war. Until C. Gracchus himself reformed the system, even those who had just won elections could not know where they would be assigned, so that voters could not choose the best candidate for a specific province; even after this reform, there was no guarantee that a well-seasoned candidate would

99. Hopkins 1978: 41–3, Rosenstein 1990: 40, Rosenstein 2013: 313, Eder 1991: 454–55, Scheidel 2015: 16–8.

emerge. The whole system was presupposed on the aristocracy's necessary fiction that all members were capable of whatever challenge faced them.

In fact, to turn to a governor's staff, it is striking how much his entire administration was set up without any regard for expertise in a specific province. With him he took a quaestor, a staff of *apparitores*, legates, a *cohors amicorum* and members of his own *familia*.¹⁰⁰ His quaestor was not only required to have no previous experience of the province but was also liable to be a complete novice in finance. Moreover, he was significantly younger and less experienced than the governor, and was likely to need him to help advance a developing political career; he was unlikely to overrule his superior. Legates were often (though far from always) there to fulfill military roles, but again they were likely to have no training in the specifics of a given province.¹⁰¹ The same applied doubly to *amici* and *familia*. The aristocratic magistrate certainly did not compensate for his own lack of expertise by packing his staff with specialists.

The necessary result of this system was that Gracchus had to set the bar for technical expertise as low as he could. To demand administrative expertise from each (often unremarkable) governor was to invite governmental disaster. Those who governed found that his new tax system was well suited to their capabilities and political needs. For example, a *sine qua non* of aristocratic government was that the aristocrat himself had to be, in all situations, preeminent. This precluded the employment of bureaucratic experts to manage a tax system. It was simply intolerable for a Claudius or an Aemilius to enter a province in which the head of the tax office was more embedded than he was, was better known in the province than he was, and was understood by the locals to be more influential over the long term than he was. In maintaining their form of dominance, therefore, Rome's aristocrats could not expect their sons to operate a complicated tax system, yet could not allow any other state agent do so, either. What was required was an "amateur state."¹⁰²

On the other hand, a degree of expertise and professionalism was necessary to ensure Gracchus' goal of increased revenue. Contracting, therefore, resolved the critical issue of knowledge, and his aristocratic peers approved of the system because it did not expect them to change their ways or to share power with expert officials.¹⁰³ This is not the "last resort" explanation—that the state simply did not possess the bureaucratic expertise to collect taxes directly. Instead I am arguing that Rome's aristocrats, regardless of whether or not they could have, had no interest in creating a more professional system of government because

100. Richardson 1994: 580–84 and Scheidel 2008: 18. See the discussion at Schulz 1997: 99–103; 105–6, esp. 154–79.

101. Schulz 1997: 173–4, 197–9 stressing that not all legates fulfilled military duties.

102. Hopkins 1978: 41–3 and Scheidel 2009: 16–8. On personal relationships between local cities and the Roman administration, see *inter alia* Kallet-Marx 1995: *passim* and Berenger 2011.

103. For a similar argument about Athenian tax farming, see Sorg 2015.

it would have undermined their position as an essentially amateur set of rulers. Romans of the Late Republic were perfectly capable of employing a different system—Caesar and Augustus would prove that in the Republic's immediate aftermath—but they had too few political incentives to do so.

The resort to contracting also, moreover, reveals the inherent distrust that existed within the Roman aristocracy. Gracchus was demonstrably interested in the issue of corruption in the provinces, and he was well aware that allowing the governor to manage the tax system invited further abuses. Caesar's system was easier and more cost-effective, but it involved cities depositing their annual tax payments with the Roman authorities, which was not something that Gracchus was willing to sanction. Nor were there many incentives for other Romans to disagree with him. Even those who made it to the highest offices only had a few short years to manage a province, and it was too great a risk to allow a potential rival to possess all the taxes of an Asia or a Syria. From this perspective, the system was a reflection of uneasy power sharing within the aristocracy itself. No figure could seize the state's funds to install himself as tyrant.

Contracting, in other words, imposed collective abstention. Because payments of the *publicani* to the treasury barely had to pass through the hands of magistrates—quaestors were presumably involved¹⁰⁴—there was no point at which they were marshaled by the provincial administration of a governor, and certainly no point at which he was able to prevent their being sent to Rome. Instead, they immediately became corporate resources, out of any individual's control. To access those resources, each aristocrat had to have his attempt sanctioned by his peers and competitors in the senate.¹⁰⁵ No governor of a provincial tax base ever had control of the funding upon which his peers would rely, because the system enforced avoidance by all. Gracchus may have imposed the system to prevent embezzlement, but all—especially those gripped by the fear of tyranny which he and his brother unleashed—came to appreciate the prudence of its restraint.

Gracchus and others had, therefore, disseminated a tax farming system that protected Rome's revenues against aristocratic incompetence and venality, but that appealed to fellow aristocrats owing to its low administrative demands, its reinforcement of their dominance, and the protection of its revenues against seizure by rivals or would-be tyrants.

There was, however, a third factor that Gracchus himself perhaps did not appreciate. Most states enjoy a strong entitlement when it comes to extracting revenues—the law insists that paying taxes is a higher priority than paying for

104. Kallet-Marx 1995: 120 and Daubner 2006: 222.

105. Note the way that even the great M. Lepidus needed permission from the senate to draw funds for the construction of temples he had vowed (Livy 42.50.1). Consuls in theory had the right to draw as much as they wanted from the treasury, but in practice they had to have their requests approved by the senate. See Polyb. VI.12.8, with Walbank's (1957) commentary.

other necessities—but tax farming weakened that entitlement.¹⁰⁶ It ensured that the state would receive its share of the empire's profits, but in doing so it also put an effective ceiling in place. Auctions unshakeably declared that the state's revenues would be whatever was the winning bid, and this ensured that the state's revenues would *only* be the price of the contract. The aristocracy was, therefore, specifying the Roman people's entitlement in both positive and negative ways. The treasury was guaranteed the auction figure—but no more. The auction price was in essence a cap on net taxation. In establishing that limit, it forbade the state from claiming any surge in revenues owing to a strong harvest or improved efficiency. Even if the taxpayers handed over more of their wealth, therefore, the state's revenues would be unchanged. But this also applied to payments increased through extortion or corruption. Auctions freed profiteering from the charge of defrauding the Roman people, because the amount squeezed from the provincials was of no consequence to the treasury's receipts. What a corrupt governor squeezed out of the province was never going to end up in the treasury anyway, since revenues were fixed at auction. To the Roman people, therefore, this extra money was fiscally inconsequential. As a result, there were far fewer—and far less pressing—incentives to monitor or deter the money making of the governor, his staff, and his associates. This provided a much safer political environment for the inflation of gross taxation. It may not have been a bright green light for profiteering, but in practice it dulled any red light.

At the heart of these explanations is the incentive toward private over public profits, and a simple comparison with the more centralized Egyptian and Chinese systems illustrates the point.¹⁰⁷ Egyptian and Chinese rulers could establish a dependable state bureaucracy because the preeminence of the pharaoh or emperor was never in doubt. It made little difference to the Chinese or Egyptian ruler, moreover, whether revenues were centralized within the state or privatized to his own purse, since he and his regime could still directly benefit from them in either scenario. In the cases of these highly centralized monarchs, what belonged to the state belonged to them, and issues of legitimacy and bureaucracy meant that the state treasury was in some ways even more convenient than any personal estate.¹⁰⁸ These pharaohs and emperors were not like Rome's aristocrats, who had to differentiate between public and private. Because the monarch was so bound to his state, and because he had such access to his

106. Tilly 1990: 1.

107. See Weber 1976: 64 on the general differences between tax farming in monarchies and tax farming in city-states, and Kiser & Kane 2007: 193 on the advantages of a single principal when it comes to monitoring state agents. On the Egyptian fiscal system: Vidorpe 2000: 177–8; Manning 2003: 58–9; Manning 2007: 449–50, 457–58—I should acknowledge that there was still plenty of tax farming under the Ptolemies. China: Loewe 1987: 478, 483; Sadao 1986: 604–5; Bielenstein 1987; Ebrey 1987: 619; Li 2013: ch. 12 and 13; Lewis 2015. Even the transportation of taxes from center to periphery was seized from contractors by Wu Di (Sadao 1986: 604).

108. Manning 2007: esp. 446. Sadao 1986: 591 examines the tensions between theory and practice in this regard.

treasury, he had every reason to capitalize upon his unique legitimacy as ruler, to maximize public revenues, and to avoid a decentralized market in which he had to compete with other members of the elite. It was his position as ruler, after all, that set him apart, and to prioritize private wealth like all others would have been to forgo the benefits of his exceptionalism. Conversely, there was an incentive for each Roman aristocrat to decentralize resources and to prevent the expansion of the state's hold on property, because what fell into the communal pot was not at his discretion to use.¹⁰⁹ Direct deposits of the state's revenues into the treasury were essentially "lost" to the aristocrat, because he exercised so little autonomous control over them.

This is a central feature in the transformation from Republic to Principate, when we see the melding of the public purse with the Caesarean one. Antony, according to Appian's account, explained to Octavian that the *aerarium* was empty upon Caesar's death, since all revenues were brought to the ruler instead of to the treasury of the people.¹¹⁰ Two decades later, according to Dio, when Augustus thought he was dying, he had to choose to whom he would leave the treasury ledger. Although he was consul in that year and may have been expected to control the public accounts, the point of the story is that they were his to hand over to any successor he chose.¹¹¹ Personal control over state funds meant that the senators could not execute policy even if they tried to. This was also, of course, a central feature of Caesar's co-opting of public finances: he refused to be bound by the senate's earlier control of resources.¹¹² With Caesar, the power-sharing imperative was gone, the inviolability of public wealth was over, and the fear of centralized expertise was no more. His abolition of direct tax farming in Asia announced to the world two things: it revealed that the old ways were needlessly inefficient and could have been dispensed with at any time, had Rome's rulers chosen to do so; second, that Caesar's interests now reigned, and he preferred long-term sustainability of *his* tax base over the private profits of governors and contractors.

CONCLUSION

Tax farming did not disappear altogether under the emperors.¹¹³ There were so many pastures with so many herds, so many ports with so much cargo, so

109. Mann 1986: 267 and Humphreys 1990: 294–5, with Sidebottom 2005: 319 on the elite's need for wind-fall profits from expansion. Goldschied 1958 provides the foundational theory and discussion of this phenomenon in the early modern period.

110. App. *B.Civ.* III.20.

111. Dio 53.30.2. Augustus fastidiously records in the *Res Gestae* which of his various donations were from his own money (e.g., 15–6). At 17–8, he even tops up the treasury with his own money. Yet, so statelike were the private estates of the new regime that Agrippa owned the Chersonese and passed it on to Augustus in his will (Dio 54.29.5).

112. App. *B.Civ.* III.20. See Jehne 1987: 68–78.

113. Brunt 1990: esp. ch. 17.

many revenues across so much territory that the scope remained for the use of contractors. The most anomalous extensions of the system, however, were progressively pruned way back. With the removal of tax farmers from much of direct taxation, Rome's fiscal system fell more into line with that of other premodern comparanda.

The change can be traced to the transformation of rule at Rome, as an oligarchy gave way to autocracy and three critical incentives were recalibrated: sustainability of the tax base was now prized because the same man expected to be using the state's revenues over the course of years; centralization of resources into the treasury was no longer a problem because the only policymaker who mattered enjoyed unchallenged access to them; and direct control of the tax collection process now needed to be retained since it directly affected the performance and viability of rule. Under the old aristocracy, however, all that was different: sustainability was not a priority because the game demanded that players convert as much money as possible into private capital while in a position to do so; private wealth was prioritized over funds in the treasury because individual aristocrats had so little autonomous control over the latter; private tax collection was attractive because it demanded little to no expertise from the governor and his staff. Whereas most explanations have assumed that maximizing revenues for the state was a central motivation for tax farming, I have tried to prioritize the political and financial interests of the individual aristocrats who drove policy.

My explanation for Roman tax farming comes together along the following lines. *Publicani* were originally employed in the provinces because the Romans retained the excellent model they found in Sicily, and other versions proliferated in the West. The system boomed after Gaius Gracchus' tribunate. Though well connected in Asia, Gracchus was fundamentally unfamiliar with conditions on the ground there, and so decided to install a version of the contracting system he had mastered during his days as quaestor in Sardinia.¹¹⁴ His experience there convinced him that tax farming offered solutions to his three biggest problems: it raised revenues fast, it did not depend on the skills of the governor, and it protected the treasury from embezzlement by the provincial administration. Not even hatred for Gracchus could prevent the acceptance of this new tax farming model, and that was because it proved appealing to a range of interests. Aristocrats did not have to retrain or tolerate a more knowledgeable staff, nor did they fear that a rival would gain access to the state's wealth. Over time, however, these political benefits became secondary to an even greater consideration. Since no individual could aspire to control the state's funds, the incentive was always to increase private profits over public profits—to increase gross taxation

114. See below p. 166n91. On the Gracchi's Eastern *clientele*, see Badian 1958: 173–4.

without increasing net taxation. Tax farming offered the enormous advantage that it capped net taxation at a contract price, ensuring that the state received the money it needed for its limited tasks, but no more than that. The state lacked any entitlement to extra money squeezed from the provinces, and this freed elite Romans to engage in the full range of profiteering and rent-seeking devices available to them. The next chapter is an exploration of those devices, and in particular the use of the state's resources to generate further private profits. If tax farming kept net taxes at a moderate level, it was the abusive mismanagement of the provinces that saw gross taxation reach new levels with each generation.

Profiteering in the Provinces

If anyone wants to know how to turn the state into an instrument of private enterprise, then Cicero's letters from February of the year 50 are a reasonable place to start.¹ A governor who was doing his best to stay above board, Cicero was forced to deal with moneylenders who wanted him to abuse his authority to maximize their profits. The people of Salamis provided his most torturous test. These Cypriots, presumably to buy influence with senators, had sent a delegation to Rome and had borrowed money at the outrageous rate of 48 percent interest per annum. When Cicero was setting out for his province, he was asked by M. Brutus, keen philosopher and soon to be principled assassin of Caesar, to assist his friends in collecting the Salaminians' debt. When Cicero met one of these friends, a man named M. Scaptius, he was asked to empower the debt collector with an official prefecture and cavalry units. Cicero refused, shocked that his predecessor, who happened to be Brutus' father-in-law, had done so. With that prefecture and armed with Roman horse, Scaptius had besieged the leading Salamininans in their senate house. Five starved to death. To his eternal credit, one of Cicero's first acts on Cyprus was to order Scaptius off the island. But there was still the matter of the debt to conclude. Cicero thought it was a simple matter: his own decree as governor was clear that 12 percent per annum. was the maximum rate of interest allowed; a law actually forbade loans to foreign envoys, so the whole transaction was legally questionable; and in any case he really did not have to worry about this lowly M. Scaptius. It is easy to sympathize with his shock, therefore, when he was presented with three documents overturning all of these comforts. The first revealed that Scaptius was in fact a mere agent and that Brutus was the real creditor; Cicero was now dealing with the affairs of a young man from the heart of the aristocracy. The second and third recorded that the senate had, through Brutus' influence, passed decrees allowing the loan to take place despite its obvious illegality and ordering courts to respect its rate of 48 percent. He therefore sat both parties down and had them tally accounts. The only disagreement was over the rate of interest, and Cicero's sympathies were plainly

1. Cic. *Att.* 5.21–6.1. Stockton 1971: 240–3 offers a clear summary, with Rauh 1986 and Rosillo López 2010b: 989–91.

with the debtors in this respect. The Salaminians offered to pay off the whole loan at 12 percent (106 talents) on the spot, and Cicero urged Scaptius to accept what was an excellent deal, but the latter would not do so. Scaptius knew the next governor might accept his preferred 48 percent, and so he was in no hurry to close out the debt except on his own terms. Neither party would budge. In the end, with each side tugging at him, Cicero simply walked away from the problem. He would not sanction a debt at 48 percent interest, but he would not alienate his Roman peers, either. We do not know how the matter resolved itself, but Cicero feared what would come of the Salaminians under the next governor.

For the Salaminians and so many others, the Roman state was the worst combination of strength and weakness. It had a formidable capacity when it came to coercing whichever unfortunate souls fell within its sights, but it lacked the autonomy to fend off the agenda of a Brutus or of so many others. In this particular case, the state's diplomatic weight had forced foreigners to travel to Rome and borrow money, while its cavalry had terrorized debtors in the process of collecting repayments. From the Salaminians' perspective, this was a powerful state. On the other hand, public law was overridden by the personal influence of one well-bred individual, an individual who had only held the most junior of magistracies, but who could call upon his father-in-law to empower an agent with a prefecture and cavalry. The Salaminians could only watch, therefore, as a private loan caught the attention of the Roman army. For Brutus, there were clear advantages. He had manipulated the state's diplomatic process to force a loan, had then used the resources of the state to collect it, and was all the while lining his own pockets with the profits. Prominent Romans like Brutus could have done none of this without the influence and power they derived from the state. Cicero makes this especially clear in the year 70, as he pokes holes in C. Verres' defense against charges of provincial corruption. Faced with evidence that plaintiffs and defendants were making payments to secure favorable verdicts in his court, Verres insisted that it was only ever his private associates—in this case, a man named Volcatius—who received or retained the money, but Cicero reminds his audience that it was the support of the state that empowered Verres' friends:

I agree, and my witnesses say as much. They say that they gave the money to Volcatius. [But] what great power did Volcatius have that he could squeeze 400,000 sesterces out of two people? Would anyone, if Volcatius had come on his own initiative, have given him one cent? Let him come now, see what happens; no one would receive him into his house. But I will speak more directly. I am demonstrating that you illegally took 40 million sesterces, I say that not a single coin was paid out to you yourself. But since it was on account of your decrees, your edicts, your orders

and your verdicts that the money was handed over, we are not asking whose hand received it, but whose injustice compelled it.²

The only reason that a man like Verres—much less his associate Volcatius—could compel payments from provincials was that he wielded the judicial and administrative resources of the state, and it is worth pondering Cicero's biting question: Who would even give Volcatius the light of day if it were not for his patron's sway over the state's legal system?³

To elite Romans like Brutus or Verres, the state's potential to generate revenue was tantalizing. Whether through its awesome ability to intimidate or through the opportunities it presented for rent seeking, the state was a money-making machine—if harnessed correctly. The obvious difficulty was that the state's activities represented all Romans, centralized in the form of legions or other state institutions, and the revenues of those activities should theoretically have belonged not to an individual but to the entire Roman people in the form of the treasury.⁴ The trick lay in privatizing those profits for personal enrichment. In this chapter, I will explore various ways in which Romans—and particularly, privileged Romans—used the state to compel money out of foreigners without having to share the profits with the treasury. This will be an essential step in understanding how private actors managed to seize so much of the empire's yield at the state's expense—or in other words, how they managed to increase the amount paid by provincials without increasing the amount received by the treasury.

This manipulation of state operations to create private profits was typical of Roman profiteering in the province. There was plenty of grossly illegal money-making as well, of course, but the Roman elite consistently found ways to conceal their rapacity within the velvet glove of legitimate government.⁵ Requisitions took the form of fees, allowances, gifts, levies, loan repayments, and other perfectly valid transfers. Legality was critical: the use of legitimate means allowed Romans to justify profits and to press provincials further and further. In this chapter I will be looking in particular at the use of public resources to maximize private profits. Debt will play a leading role in the first half of the story, as individuals found ways to turn obligations to the state into obligations to creditors, while the manipulation of allowances and other legitimate contributions will be the topic of the second half. Romans managed to convert a great deal of the provincials' legitimate payments into private property, and this is part of the reason why there was such a discrepancy between net taxation and gross taxation.⁶

2. Cic. 2.Verr. 2.26.

3. For a reminder of just how much legal power rested with the courts' senior magistrates, see Cic. 2.Verr. 2.30.

4. See Rosillo López 2010b for the distinction between public and private property in Rome.

5. Mann 1986: 296. On the blurry line between corruption and patronage, see Lintott 2012: 235.

6. Jones 1974: 121.

The last chapter was an attempt to show one way in which tax farming suppressed net taxation, and this chapter will go further in showing how individuals could maximize gross taxation.

The evidence on which it is built relates disproportionately to Asia Minor and Sicily in the last decades of the Republic, when the profiteering of Roman officials was almost certainly at its worst.⁷ The reason for this is that two sources address the topic more explicitly than any others: Cicero's prosecution of Verres after his Sicilian governorship, and the letters Cicero wrote to Atticus while governing Cilicia. In these letters, Cicero himself was shocked by some of the details he found on the ground, and his eagerness to report the details—crucially, details most other sources neglect—was in part designed to contrast his own self-image as a virtuous governor who spurned the kinds of profits embraced by less reputable sorts. In particular, the situation he found reflected the actions of his immediate predecessor, Ap. Claudius Pulcher, whose unkindness to his province may or may not have been typical. Cicero was eager to draw a distinction between Appius and himself, and no doubt selected his cases to further this goal. In his prosecution of Verres, Cicero obviously crafted a hyperbolic account to portray his defendant's misconduct as unprecedented. This realization may lead to charges of Ciceronian exaggeration, but the point cuts both ways: it is difficult to know whether Cicero is inflating the abuses of Verres, or merely overstating his singularity.⁸ Or both. My position in this chapter is that it would be impossible to reconstruct exactly what Verres did in each case, but that the speeches do give a more or less accurate guide to the kinds of abuses to which Rome's most venal leaders turned. Cicero's case depended not only on the plausibility—much less provability—of his accusations; it must have depended to some degree also on the audience's prior understanding of how the system was used and abused by others. In that sense, the details in his letters and speeches can be taken as reflections of a general approach, even if not as forensically perfect retellings of specific cases.

A potentially more serious problem, however, is that Cicero anchors the discussion in the last three decades of the Republic. Accounts of earlier periods are not absent in what follows, but the portrait relies heavily on details from one specific period. When it comes to provincial profiteering, however, I would argue that this period reflects a change in scale rather than quality. Romans were already making a fortune in the provinces in the second century; why else would a *Lex Calpurnia* of 149 have established a court to try corrupt governors? And there is plenty of reason to think that abuses in this period involved far more people than the lucky few who held high office. Including a governor's

7. For a wise meditation on the dangers of extrapolating from this largely Ciceronian evidence, see Kallet-Marx 1995: 125–6.

8. On the rhetoric of the Verrines, and the third speech in particular, see Steel 2007 and Frazel 2009.

sons in its jurisdiction, for example, Gaius Gracchus' law on provincial extortion reveals that Roman leaders were already raising money through their private households in the 120s. The evidence may be overwhelmingly from the end of the Republic, but it would be a mistake to assume that the corrupt practices examined in this chapter were unknown in the second century.

The focus here is on the gap between gross and net taxation, and though the Late Republic may reveal that gap at its most yawning, the process was begun much earlier. Kay has assembled evidence for Romans of the third and second centuries acquiring new wealth, invested particularly in the agricultural land of central Italy. He makes a strong case for vibrant private enterprise in the provinces, and this would obviously have expanded the wealth of private estates. At stake in this chapter, however, is also the failure of public profits to keep up. Much—though not all—of Kay's enrichment was inextricably bound to the exploitation of Rome's rule.⁹ This exploitation of the state's powers was normal. Many of the greatest fortunes leveraged the state's actions to generate greater profits, as commanders, financiers, and entrepreneurs transacted with provincials who were in no position to resist. State action, therefore, sparked much of Rome's blazing enterprise in the provinces.

The goal of this chapter, then, is to show how egregious acts of personal enrichment—whenever or wherever they occurred—often relied on the state in ways that yielded far greater profits for private actors than for the public treasury. The focus is not solely on how these avaricious leaders made their money; it is also on how the state was forced to aid and abet them for only a minor share of the spoils. To that end, the evidence is revealing.

CREDIT, DEBT, AND THE PRIVATIZATION OF PUBLIC REVENUES

The great wars of the third and early second centuries resulted in indemnities paid directly to the treasury by conquered foes. The defeats of Hannibal, Philip V, Nabis, Antiochus III and the Aetolians all resulted in annual payments for fixed terms, and the fact that the Carthaginian indemnity of 199 was only inspected upon delivery at Rome—it turned out to be a cheap alloy—suggests that the Romans played no role in actually collecting and moving these bounties.¹⁰

9. Kay 2014: esp. ch. 7–8; see especially 196–209 and 224–6 for the role of commerce in enriching Italians beyond the city. At the same time, however, see Rosenstein 2008 on the limits of agricultural profits. See Mann 1986: 267 on the elite's reliance on the state for windfall profits. Nicolet 2000: 35–6 argued that the demands of a political career hindered a truly mercantile way of life for the aristocracy, though this is a generalization with plentiful room for exceptions. The salience of his point might be clearest in the example of one Roman noble whose fortune was made not in enterprise but in the management of state contracts: the father of L. Calpurnius Piso cos. 58, having been put in charge of supplying arms during the Social War, made a killing by corraling and managing resources in the name of the state (Cic. *Pis.* 87).

10. Carthage: Polyb. 15.18; Livy 30.37.5; Plin. *HN* 33.51. Philip: Polyb. 18.44.7; Livy 33.30.7. Antiochus: Polyb. 21.42.19; Livy 37.45.14. Aetolians: Polyb. 21.30.2; Livy 38.9.9. For summaries, see Kroll 1933: 88, Frank 1933: 127ff., and Crawford 1977: 43.

Similarly, the senate decreed that the Aetolians, having paid the first installment of their indemnity to the consul on site, had to deliver all subsequent payments themselves to Rome.¹¹ This made it very difficult for individuals to skim a percentage off the top, since foreigners simply came to Rome with silver or gold and put it in the treasury with no Roman intermediary. In areas like Spain, the first generation of Roman administrators seems to have relied on more or less ad hoc contributions to help sustain the legions and their presence.¹² Over time, however, these indemnities were converted into regular revenues in various provinces, even if the process is not always clear. The Romans inherited a tithe system in Sicily that they expanded at the end of the third century, while tribute seems to have been regularized in Spain by 178 and in Macedonia after the defeat of Perseus in 168.¹³ Similar systems of revenue raising would subsequently be established in Africa, Achaea, and Asia.¹⁴ Fixed-term indemnities from independent peoples (whether for five years or fifty years) thus more or less fell out of fashion as regular tribute came to replace them. Every community that became part of this Roman tax base was now prone to intervention, while every act of tax collection was open to manipulation by members of the administration.¹⁵ This was an essential step in widening the gap between gross and net taxation (or tribute, in this case). So long as the conquered were themselves raising and delivering their payments to Rome, there were few if any opportunities for individuals to siphon off funds for their own private estates. Once Roman officials and contractors became more embedded in the process of collecting or transporting payments, however, interference by governors and their staffs grew much more feasible. The door was opening to various forms of profiteering.

11. Polyb. 21.32.8.

12. Whether this unregulated practice encouraged avarice among the governors is obscured by the lack of evidence. Rebellions among the Celtiberians and Lusitanians in 187 might have been related to exactions, but there is no shortage of other possible explanations. For events of this period, see Richardson 1986: 98–100.

13. For the process on the whole, see Naco del Hoyo 2003: 201–9. Sicily: Clemente 1988, emphasizing the Republic's need for grain in the Second Punic War. Perseus: Livy 45.18.7, 45.26.14. Communities that had gone over to the Romans were exempted. Achaea: Kallet-Marx 1995: 59–65, with references, to which we might add more recently the opposing view of Ferrary 1999: 70–1. Sicily: Carcopino 1919, Scramuzza 1933, Badian 1972a: 79–80, Lintott 1993: 75, Kunkel & Wittmann 1995: 342–4, and Nicolet 2000: 279–80. Spain: Richardson 1986: 72, 160–1, esp. 115–6, and López Castro 2013: 69, each arguing that *stipendium* was regularized by Ti. Gracchus during his praetorship in 180–78. Howgego 1994: 17 has cast doubt on whether the Spanish communities had access to coin in such an early period, but even if he and other low daters are right, Richardson 1986: 116–7 and 123 rightly downplays the importance of silver coinage in favor of a half-tithe of grain and perhaps payments in bronze. Alas, the evidence is scant. In any case, even if taxes could not have been paid in 180–78, the creation of a regular tax system did eventually emerge. The transition from indemnities to regular taxes would, therefore, still hold true as a broad phenomenon. For further discussion and bibliography on the emergence of denarii and taxation in Spain, see Naco del Hoyo 2003: 218–21, who denies that Spanish tribute could meet a definition of “regular” taxation.

14. Asia: Broughton 1938: 535–43, Mitchell 1993 vol. 1: 29–30. Kallet-Marx 1995: ch. 4. Achaea: Kallet-Marx 1995: 59–65, with references, and the opposing reconstruction of Ferrary 1999: 70–1.

15. Dahlheim 1977: 129. See also Naco del Hoyo 2003: 202, with further bibliography on the relationship between taxation and subjugation.

This trend manifested itself in other ways, as well. Alongside regular taxation, indemnities were replaced by one-off payments from the conquered to the Roman commander on the scene. More than 3,000 talents were handed over to Metellus Numidicus by Jugurtha, and Curio forced payments out of the Dardani on the borders of his province in Macedonia.¹⁶ Manius Aquillius drove Nicomedes of Bithynia into debt for a sum that, although unspecified in the sources, was evidently impressive—Mithridates poured molten gold down his throat to quench his thirst for bribes.¹⁷ Sulla demanded 20,000 talents from Asia after the First Mithridatic War, justified as arrears accumulated during the Pontic occupation, but demanded at once nonetheless.¹⁸ In chapter 1, I discussed the enormous profits made under Pompey's command in the East: M. Scaurus was taking bribes for military favors, while Ariobarzanes III, king of Cappadocia, was so far in arrears to Pompey that 33 talents a month did not even cover the interest he owed.¹⁹ Badian, moreover, points out that Pompey had had very little to do with the Cappadocians, and rightly imagines "what other kings and dynasts, with whom Pompey was in close contact and for whom he had done a great deal, owed him or had paid him."²⁰ Badian could have drawn upon at least one well-attested case: Tigranes agreed to pay 6,000 in return for the Armenian throne.²¹ Then there were the outright bribes from Egypt. Ptolemy Auletes offered 6,000 talents to Pompey and Caesar, and then 10,000 talents to Gabinius, all in order to regain his position as ruler of Egypt.²² These were the most gratuitous uses of the state to promote private wealth. Foreigners found themselves at the mercy of the legions, and Roman commanders could easily dictate terms in exchange for favors. Few if any private individuals could simply demand such exorbitant sums from foreign peoples. It was only the presence of Rome's army—a state institution—that compelled the unfortunate to accede to demands.

But how did this money find its way to the private estates of Roman leaders? Not all these payments, after all, were to the person of the commander. Sulla, for example, was claiming public taxes in arrears, and Pompey construed his fees as tribute to the Roman people as a collective, so any seizure by the commander would have to be illegitimate. It was finance that provided the means to convert

16. Numidicus: Sall. *Iug.* 62.5. Curio: Sall. *Hist.* 2.60 McGush; Amm. Marc. 29.5.22.

17. App. *Mith.* 11, 21.

18. See the discussion at Broughton 1938: 516–9, Magie 1950: 251, Crawford 1977: 47, Mitchell 1993: 31, Jones 1998: 63–4, and Santangelo 2007a: 114. See Merola 2001: 53–5 and Santangelo 2007a: 114–7 on the financing of the indemnity.

19. Scaurus: Joseph. *AJ* 14.80–1, 14.30; Joseph. *BJ* 1.6.3. Ariobarzanes III: Cic. *Att.* 6.1.3. See also Cic. *Att.* 6.3.5, where Ariobarzanes has promised Pompey 200 talents over six months, besides another 100 talents paid to Brutus that year.

20. Badian 1968: 82–3.

21. App. *Mith.* 104; Plut. *Pomp.* 33.4; Strabo 11.14.10; Tac. *Ann.* 11.14.10; Dio 36.53.5 adds that Pompey received even more than had been promised.

22. Suet. *Iul.* 54; Cic. *Rab. Post.* 21. For Ptolemy's perspective, see Siani-Davies 1997 and Hekster 2012: 191–9.

these public revenues into private profits.²³ If the payments were demanded in coin or bullion, then promptly gathering sufficient metal could be impossible, and the debtor would have to borrow the money from the commander or his associates at whatever outrageous interest rate was stipulated. In this case, the seemingly honorable process of earning tribute for the state could simply be occasion for usury. Take the case of Ariobarzanes III just mentioned.²⁴ A Roman army stood between him and his throne, and if he wished to remain in power, he had little choice but to accept whatever sum was asked of him. Pompey could portray this as tribute to Rome and could happily deposit Ariobarzanes' one-off payment in the treasury, thus satisfying anyone who claimed that all such tribute belonged to the Roman people. By choosing an amount beyond the king's ability to furnish at once, however, Pompey forced Ariobarzanes to take out a loan and effectively inserted his own private interests into the transaction. Since, moreover, Pompey could construct a debt so harsh that Ariobarzanes could never conceivably pay it off, he and his associates would continue collecting repayments for as long as Ariobarzanes could find the money. The state absorbed the costs of the operation—raising and paying troops, deploying an army at the far ends of the Mediterranean, feeding thousands as they marched in conquest—but its share of the tribute was limited to the original sum. It was Pompey and other private bankers who would inflate Ariobarzanes' tribute through ongoing interest payments. They very successfully, therefore, privatized the profits of publicly funded military activity and grew them at interest. It is worth exploring such manipulation of finance in detail.

The first attested instance of converting state payments into private loans was in 199, when the Carthaginians, trying to make the first payment of their indemnity with coins of just 75 percent purity, were forced to borrow the missing 25 percent.²⁵ Nobody at the time, however, seems to have embraced the full potential of this racket. By the first century, it was not uncommon to force communities into debt in order to raise money, as the actions of Sulla and Pompey make clear. The expansion of the practice may stem from the widening scope of tax farming in the provinces, since the affinity between the two types of enterprise is clear. In both cases, provincials owed payments to the treasury. Tax farmers would advance a predetermined sum to Rome in exchange for the right to maximize tax collection within the defined tax farm, and if taxpayers could not afford their obligation, then a banker would lend them the money for even greater profits over time, thanks to the interest charged.²⁶ The use of bankers to collect tribute from foreign kings and peoples was similar. A vanquished foe was

23. Jones 1974: 118–9.

24. See note 19, this chapter.

25. Livy 32.2.1. The potential of this “business” seems not to have been fully appreciated for some time, since it did not become standard practice until the Late Republic.

26. Magie 1950: 165–6, 251–2; Kallet-Marx 1995: 139–40; and Eckstein 1997: 365–6.

obliged to make payments to Rome, but instead of engaging the treasury in the long process of collecting the tribute as debtors raised it, a creditor advanced the sum on his behalf, and then collected the amount over a period of time through repayments. In his relationship with the treasury, the creditor is “purchasing” the right to collect the tribute himself for whatever extra interest he can manage, just as a tax farmer “purchases” the right to collect taxes at whatever profit he can find. Of course, this was not tax farming per se—there was no contract between state and creditor, and the payer only had resort to the creditor if unable to meet the obligation up front—but at the heart of the transaction was the use of private business to collect Rome’s income for profit. In both cases, a community needed to make payments to Rome, and the creditor’s gains were simply his price for taking on the lengthy task of collecting those payments. The likes of Pompey and his financial associates were creating “debt farms” out of military campaigns. When asking how common this was, it is worth considering just how many recorded loans were to cities rather than to individuals. Brutus’ loan to the Salaminians was cited earlier, but to it can be added Cluvius’ loans to various Asian cities, T. Pinnius’ loan to Caunus, Castricius’ loans to Tralles and Smyrna, and Atticus’ loans to Sicyon and Ephesus.²⁷ The exact reasons for these loans are usually unstated—Brutus and the Salaminians are exceptions in this respect—but the presence of *civitates* must make some role for the state likely.

Using the state to maximize private profits was not, however, the reserve of those with legions at their backs. Any well-connected creditor could play the game, and the case of Brutus’ loan to the Salaminians, as discussed at the start of this chapter, illustrates the point well.²⁸ Brutus did not require an army to force the Salaminians to take out a loan. The need for bribes in Roman diplomacy forced the Salaminians to access capital from someone, and Brutus, who was their patron at Rome, was an obvious lender. The first problem, however, was that loans to foreign envoys in Rome were illegal. A minor hurdle. Brutus’ influence among senators earned him a decree that granted dispensation from the law for this one transaction at an outrageous rate of interest.²⁹ The loan was effected. In this case, one blue-blooded but junior aristocrat subverted state attempts to regulate such lending simply by coopting the support of senior leaders. This, moreover, was just the beginning of the state’s inability to resist Brutus’ agenda. Once the contract was drawn up, Brutus could use other connections to involve the state’s resources in maximizing his return. To Cyprus he sent M. Scaptius and P. Matinius, neither of whom had any prior role in the administration of the province, and when these two encountered difficulties

27. See Kay 2014: 195–6.

28. Cic. *Att.* 5.21.10–3, 6.1.5–8, 6.2.7–9, 6.3.5.

29. The rate of 48 percent p.a. is not unprecedented: See the Cloatius brothers’ loan to Gytherion at *Syll.*³ 748, discussed at Billeter 1898: 92 and Kay 2014: 256.

in pressing such harsh payments from the Salaminians, they approached the governor, Brutus' father-in-law Ap. Claudius Pulcher, who duly endowed them with state cavalry to besiege the leaders in the senate house at state expense.³⁰ Without the prefectures Appius gave them, they had neither the authority nor the resources to deploy such force in calling in their debt. Armed with cavalry and with the support of the state's resources, however, they could engage in a shockingly intensive style of debt collection at virtually no cost to themselves. Indeed, it was standard practice for governors to use their administrative resources to further the private business interests of their friends. Provincials frequently complained of *legationes* being sent purely for the sake of private finances or to collect bequests left to them. P. Lentulus Spinther would as governor seize land on behalf of Q. Cicero, and when Atticus was trying to recoup a loan to the Sicyonians, he had recourse not only to a promagistrate, C. Antonius, but also to the senate itself.³¹ The support of the governor or the senate allowed creditors to up the ante in debt collection at no expense to themselves.

Assisted by the governor or his troops, debt collection could effect not just regular repayments but often also the seizure of mortgaged land, which constituted the final, most utterly ruinous step in maximizing profits. As a private lender, the creditor had every right and every reason to demand land or some other property as security.³² This ensured he could suffer no loss. While a tax farmer could lose money if he overbid or the taxpayers produced too little, a lender who failed to receive the sum expected could simply recoup property. Cicero, for example, wrote a letter of *commendatio* for a certain Cluvius, who was looking to seize security from Philocles of Alabanda, a debtor of Pompey's.³³

30. Scaptius (though Cic. *Att.* 6.3.5 suggests a different individual of the same name) and another agent, L. Gavius, would receive prefectures from Cicero for transacting Brutus' business in Cappadocia (Cic. *Att.* 6.1.4). Cicero refused to empower *negotiatores* in this way within his own province of Cilicia (*Att.* 6.1.4), but the technicality of having them operate outside his borders apparently satisfied his conscience. On the role of the governor in pressing debtors in the provinces, see Zehnacker 1979: 174.

31. *Legationes*: see, for example, Cic. *Flac.* 86, *Fam.* 3.8.5, and *Fam.* 13.56. The best treatment of legates managing private business is at Schulz 1997: 173–4, 197–9 while Kay 2014: 192–3 contains evidence for Roman businessmen in Asia during Cicero's era. Lentulus and Quintus: Cic. *Fam.* 1.9.24, with Rosillo López 2010b: 987–8. Atticus and C. Antonius: Cic. *Att.* 1.13.1, 20.4. Antonius was not known for his light touch, especially after he borrowed some of Sulla's cavalry and plundered parts of Achaea (Asc. 84C). The offense saw him prosecuted by Caesar and caught the eye of the censors when he was expelled from the senate. Atticus appears more principled in Nepos' biography of him, where he refuses any prefecture for profit (Nep. *Att.* 6.4). Cicero's legate, M. Anneius, was resolving a problematic loan to Sardis in 51, though it is unclear whether he was given the office in order to pursue his business interests—Cic. *Fam.* 13.55 denies as much. See also Rosillo López 2010b: 992.

32. There was nothing unusual about mortgages in ancient Greece; see, for example, Strabo 13.3.6. Finley 1952, Millett 1992, and Cohen 1992 examine the Greek tradition of hypothecation. Zehnacker 1979: 181–5, Sherwin-White 1984: 239, and Mitchell 1993: 30 touch upon the relationship between usury and land seizures in Roman Asia. Howgego 1994: 18 hypothesizes a similar dynamic of debt and property transfer in Spain.

33. Cic. *Fam.* 13.54.2. Some governors could even be given land in exchange for political favors (Cic. *Flac.* 85–6). It seems that it was not uncommon for land claimed by Romans in Asia to be acquired under dubious circumstances. When recommending L. Genucius Curvus at *Fam.* 13.53, for example, Cicero goes out of his way to stress that Curvus' claims to land near Parium are "beyond doubt" (*sine ulla controversia*) and to warn that this or another possession may be challenged by "some Hellespont local." The particulars of this case may well

Cicero wrote elsewhere of a debtor who was handed over into his creditor's custody, and eventually bought his release by surrendering bonded property.³⁴ This was more than just the resolution of a debt. If a debtor could not close out his obligation, and if he parted with mortgaged property, the creditor could easily find himself owning land in the community, drawing rents from it *in perpetuum*.³⁵ The creditor in this instance becomes the equivalent of a tax farmer on a limitless contract. He goes from a short-term collector of the state's tribute in the form of loan repayments to one who collected it forever in the form of rents. It is worth retracing the steps. The state, through its diplomatic process or its military activities, forced foreigners to take out loans from Roman entrepreneurs, who could then use state resources to squeeze as much cash out of the debtors as possible. Once the debtors ran dry, the creditors would seize their capital, and the latter would go on enjoying its yield forever. A one-off payment to the state became a perpetual source of income for private citizens. The combination of Roman tribute and Roman finance, therefore, could produce a rentier class drawing revenues from private land in the provinces.

In no way did private finance depend exclusively on the state to force provincials into borrowing, and no doubt many loans were recovered without any state intervention. For the upper echelons of Roman society, however, the state—its armies, its fiscal system, its diplomatic influence, its magistrates, and its courts—were easily deployed to generate more borrowing and to maximize the return on those loans. It would, after all, have been difficult to force a city into a loan at 48 percent cumulative interest in a free and fair market.³⁶ At the

involve the seizure of mortgaged land. The rejoinder of *sine ulla controversia* might also imply a more general suspicion that land mentioned in *commendationes* usually involved legal or financial processes.

34. Cic. *Flac.* 48–50. This was a debt between Greeks. Cic. *Flac.* 43 records a praetor selling the property of a debtor who could not repay a loan from his city.

35. This may explain Cicero's comment at *QFr.* 1.1.7 that Asia was vexed by both *publicani* and *negotiatores*, and Shatzman 1975: 69 stresses the importance of Roman force in seizing the people's security. The prospect of interest could lead creditors to refuse repayment until the debt had grown. Scaptius, for example, resorted to delaying tactics to prevent the Salaminians settling their account with him, preferring to drag the ordeal out longer (Cic. *Att.* 5.21.12). Cornelius Nepos praises Atticus for refusing to increase his profits by drawing out repayments from his foreign debtors (Nep. *Att.* 2.4). Benevolent creditors in Thessaly and Aetolia, on the other hand, were willing to lower interest rates to prevent a rebellion, at Livy 42.5.7. Modern scholars have adopted divergent views on just how oppressive finance was. Bernhardt 1985: 185 paints a startlingly optimistic picture of Greek urban finances, believing that cities were usually able to repay their loans, but were simply unwilling. So also Kallet-Marx 1995: 277–8, who argues for the financial health of Pergamum by pointing out that the city erected statues to Diodorus Paspas, despite the fact that one of Diodorus' great benefactions appears to have been convincing the Romans to grant financial relief in light of Pergamum's crippling debt. Against this view, see *inter alia*, Broughton 1938: 545, Magie 1950: 160–2, Jones 1974: 121, and Santangelo 2007a: 61 for Diodorus Paspas and 2007a: 124–5 specifically for the Sullan period. There is little epigraphic evidence for predatory creditors, but then it is unsurprising that inscriptions were not erected to those who were preying upon local finances.

36. The majority of loans to foreign cities in the East, for example, were for unknown reasons. Kay 2014: 256–7 argues convincingly that unfavorable markets at Rome led lenders to transact abroad, where there were fewer regulations to stifle profits. Unexplained, however, is why these cities needed to borrow such vast sums from outsiders in the first place. So often when the reason is given by the sources—Sulla's back taxes, the

heart of this “business” was the ability to use the centralized resources of the state for personal advantage. Because the state had such low autonomy, because its institutions were so unable to resist the claims of aristocratic administrators and their peers, its ability to coerce was constantly hijacked for purposes that had nothing to do with its own public ends. Having become an instrument in the hands of the elite, it could not prevent private individuals from dissolving the boundary between public and private whenever it suited. Successful commanders like Pompey could use the state’s military and political resources to force foreigners into paying tribute, but could then privatize the ongoing yield of those payments by embedding the transaction in debt relationships. Collecting that debt involved a similar game. Imagine a Pompey or a Brutus running two sets of accounts, one for his own personal income and expenses, and another reflecting the state’s. Each could transfer to the state’s ledger much of the cost of debt collection by deploying the state’s own coercive means in squeezing payments out of their debtors—in Brutus’ case, his agents even starved local leaders to death. All profits from this business, however, would be channeled into their own personal accounts. In this way, they could employ practices that would be illegal or too expensive if pursued privately, without having to pay a financial or legal price themselves. They pocketed ever greater returns until, often enough, they ended up owning property within the provinces, deriving income from it for as long as they owned it. Or, of course, they could sell it for a windfall. The state, unable to preserve its independence, had become the workhorse of private enterprise, carrying out its orders, collecting its debts, and shaking down foes so that its masters could pick up the profits.

PROVINCIAL ADMINISTRATION AND THE PRIVATIZATION OF PUBLIC REVENUES

The state was similarly instrumental when it came to individuals’ profits from provincial administration. By the end of the Republic, most provincials were subject to various direct taxes, from poll or land taxes to tithes and half-tithes on agricultural production. In addition to these were indirect taxes on certain sales and imports, rents on public land, and tolls for the use of infrastructure.³⁷

Salaminians, Pompey’s kings—the role of the state is unmistakable. Romans used the state to create crises, which in turn forced provincials to borrow money.

37. Various foreign cities were exempted from Roman taxes. Strabo 17.3.24 defined a province (as opposed to an independent kingdom, a free city, or some other minor exceptions) as an area to which the Romans sent a governor and tax collectors. Cicero speaks of the five cities exempt from taxes in Sicily (Cic. 2.Verr. 3.13) and Pliny tells us what proportion of cities in various provinces at his time were free from direct tax: e.g., 120 out of 175 in Baetica and 135 out of 189 in Hispania Citerior (Plin. HN 3.7, 3.18). For Santangelo 2007a: 57–8, “the clearest sign of [some cities’] lower condition was not political, but economic,” though even this did not in practice relieve them of all financial burdens. He notes that the *lex Antonia de Termessibus* forbade Termessus from taxing publicans, and a similar proviso—freeing all Romans and Latins from taxation—applied to the

Cicero could, when it suited his purposes, tell juries about Greek subjects, “to whom the pasture tax, the tithe and the customs dues are a source of death.”³⁸ As harsh as all this sounds, it still does not allow for the actual costs of provincial administration. It was not simply through taxation that the Romans drew from the provincials, but also through an array of allowances, fees, and contributions that the locals had to provide in order to sustain Rome’s administrative presence. Governors had to eat and their horses needed fodder; good relations required statues and inscriptions. This would be costly for the provincials, but was a boon to their Roman rulers. For a governor to expand his personal profits by squeezing more out of his province, it helped to sniff out these exactions and dues because they were payable to *him* rather than to the treasury or the tax collectors.³⁹

Once again, the problem for the avaricious governor was the inviolability of certain revenues, those which were paid directly to the treasury or which were already reserved for collection by contractors. The *stipendium* paid by Spanish communities, for example, was owed to the treasury in Rome, the defrauding of which posed serious political risks, while poll taxes in the East were difficult to manipulate or inflate because they were fixed and required no complicated measuring.⁴⁰ There was, therefore, no easy point at which the governor could stretch these poll taxes further, nor was there an obvious way to divert the Spanish *stipendium* into his own pocket. Similar complications applied to other taxes. The governor could not directly profit from squeezing more out of the tithe, the customs dues, or the rents on public land, since these were all

free city of Ambracia, at Livy 38.44.4, as well as to all such cities, presumably. Dahlheim 1977: 220–1 notes that this forced free cities to participate in the movement of other cities’ tribute, free of charge. He then stresses the impact of having a governor establish his “court” in a city like Pergamum or Ephesus, despite both being free cities (see also Ferrary 1999: 78–9 and Santangelo 2007a: II, ch. 1, though see Amarelli 2005 on potential benefits of hosting a governor). Magie 1950: 160–1 points out that even free cities were committed to supporting Roman troops as early as the war against Aristonicus. Bernhardt 1985: 183 and Daubner 2006: 223 show that both free and stipendiary cities brought accusations against magistrates for misdemeanors in the provinces. Schulz 1997: 111–2 looks at some of the costs of entertaining the governor. Yet such expenses were necessary if cities were to maintain good relations with Rome: See Bernhardt 1985: 169–83; Kallet-Marx 1995: 129–30; Schulz 1997: 231; and Ferrary 2002: 139–40. Ferrary 2002: 140–1 rightly points out that not all free cities were equal in their capacities or in the respect they could command. Finally, Jones 1998: 59–60 shows convincingly that C. Gracchus imposed his taxes on all cities in Asia, free or otherwise.

38. Cic. *Flac.* 19. His rhetorical purpose is to explain why Greek witnesses would prefer revenge over accurate testimony.

39. On the sociological need to match the profits of peers, see Crawford 1977: 51. Instances of magistrates simply seizing their allowance will be left untouched in this chapter, but there is plenty of evidence of such practices: see, for example, Cic. 2.*Verr.* 1.34; Cic. *Pis.* 86. And this kind of embezzlement was not limited to Romans; see the case of Heraclides at Cic. *Flac.* 45. Cicero himself may have benefited when he received money from the *aerarium* in the name of his brother Quintus, who was governor of Asia at the time (Cic. *QFr.* 1.3.7). Of course the governor’s staff was playing the same game. C. Trebatius was open about his plan to enrich himself in Gaul, though the means are not always clear: Cic. *Fam.* 7.9.2, 17.1, 16.3, 8.13.1, 18.1.

40. Daubner 2006: 222. On poll taxes, see Jones 1998: 64 and Neesen 1980:8. Cic. *Att.* 5.16.2 discusses poll taxes (*epikephalia*) in the Cilician cities of Laodicea, Apamea, and Synnada, though it is unclear whether it was a permanent fixture or a special levy put in place by his predecessor as governor. Cf. Cic. *Fam.* 3.8.5.

reserved for designated tax farmers—if he increased the total yield, he simply increased the profits of the contractors. The best he could do on this front was to conspire with the tax farmers who collected them in exchange for a slice of the profits.⁴¹ Not that this should be underestimated, but for many communities the worst of the profiteering—worse even than the legally indefensible instances of bribery and extortion—came in the form of permissible contributions or the manipulation of the governor’s own allowance.⁴² Because an allowance was paid directly to his own person, it could easily be converted from public levy to private profit. While governing Cilicia, for example, Cicero repeatedly emphasizes that his own restraint on this front was a boon to his subjects. His staff refused such basic perks as firewood or on occasion even a roof, sleeping instead in tents for much of the time. He refused to burden Asian cities with guests requiring hospitality. He sent no letters demanding treasure.⁴³ For a sense of just how much money could be involved in these demands, Cicero’s visit to Laodicea provides some indication. There, partly because Cicero asked for no money—not even the smallest coin, he insists—the local communities were able to extract themselves from debt.⁴⁴ During his visit to Cyprus, he learned that the Salaminians were accustomed to providing each governor with an allowance as hefty as their notorious debt to Brutus, and so Cicero’s abstinence meant that their payments were in some sense coming out of the governor’s own pocket.⁴⁵ Elsewhere, after discussing the abject poverty of cities paying the poll taxes, he offered a little solace in the form of his own abstinence: “The miserable cities are, however, relieved because they incur no costs on my behalf, nor those of my legates, nor my quaestor nor anyone else.”⁴⁶ Sustaining the Roman administration was, it seems, no meagre task. No wonder the people of Claros erected inscriptions thanking at least one benefactor who covered the costs of hosting Roman authorities.⁴⁷

For obvious reasons, the most desirable exactions were those made in cash. There were no doubt times when governors simply seized money without pretext—Cicero claimed that Verres’ demands for cash in Achaea would

41. See Badian 1972a: 79–81, Shatzman 1975: 57–8, Daubner 2006: 226–7, and Rosillo López 2010b: 995–6. L. Piso allegedly seized the legitimate profits of the contractors, though Cicero’s accusation here should be treated with great suspicion (*Cic. Prov. cons.* 5). Cicero’s *Verrines* offer a veritable handbook on how a governor *could* conspire with tax collectors for mutual profits (esp. 2.*Verr.* 3.53–63 and 67–121), even if Cicero finds it difficult to prove that Verres himself was profiting from his support of tax farmers (see the wording, for example, at 2.*Verr.* 2.52, 2.61, and 3.76, as well as the hearsay at 2.*Verr.* 3.130–1). On the problem of reading Cicero’s speeches on Verres, see note 8, this chapter.

42. Kunkel & Wittmann 1995: 351–3.

43. *Cic. Att.* 5.16.3, 5.21.7.

44. *Cic. Att.* 6.2.4. The other reason the communities escaped debt was that Cicero prevented the local officials from embezzling funds. The sin was not, evidently, an exclusively Roman one.

45. *Cic. Att.* 5.21.11.

46. *Cic. Att.* 5.17.3.

47. Robert & Robert 1989: Menippos II.42–6 and Polemaios IV. 20–3, with Ferrary 1991: 561 and Kallet-Marx 1995: 145.

not, had it not for his sadistic methods, even have been worth mentioning in court—but there were also “legitimate” excuses for raising money from provincials.⁴⁸ Direct cash exactions could be made through gold crowns given in honor of a leader (*aurum coronarium*),⁴⁹ contributions for entertainment at Rome (*vectigal aedilicium*),⁵⁰ money for the governor’s own use (*vectigal praetorium*),⁵¹ pay for rowers (*pecunia in remiges*),⁵² contributions for monuments,⁵³ and general gifts.⁵⁴ There could also be rent seeking in the form of fees whenever governors or contractors obtained contributions from provincials, whether for coin testing, for exchanging currencies, or simply as payments to staff.⁵⁵ Cicero made the point that demanding 100,000 sesterces in cash was likely to lead to a conviction, whereas demanding 200,000 sesterces for statues gave Verres some sort of pretense.⁵⁶ Obviously these contributions were easy—if not always legal—for the governor to keep as his own, and he could repeat the same exactions at community after community. When we consider that the Salaminians were handing over more than 106 talents to each governor, and we consider how many communities must have been offering similar sums, the extent of the profits becomes clear.⁵⁷ Once again, individuals were using their access to state authority to generate extraordinary private profits.

Other pretexts could be portrayed as perfectly reasonable. A governor had an array of legitimate burdens that he could place on communities, almost all of which were designed to provide him with necessary supplies or to meet extraordinary circumstances. Local communities, for example, were obliged to provide

48. Cic. 2.Verr. 1.44–5.

49. See, for example, Cic. *Leg. agr.* 2.59. See also Rosillo López 2010a: 100, as well as Neesen 1980: 9 for this and the next five notes.

50. Cic. *QFr.* 1.1.26. This was already controversial by 179, when the senate had to place limits on such contributions due to the lavish funds raised by Tiberius Gracchus. See Livy 40.44.12, with Rosillo López 2010a: 99.

51. Cic. *Att.* 5.21.11. As early as 198, Cato saw the need to reduce the expenses of the praetor in Sardinia (Livy 32.27.3–4).

52. Cic. *Flac.* 33.

53. Cic. *QFr.* 1.1.26, assumed at Brunt 1990: 55 to postdate the *Lex Julia*. The practice might well have been outlawed in that legislation, but it might instead have been the subject of an earlier law. Taxpayers in the Phrygian city of Appia complained to Cicero that their magistrates were imposing new taxes to fund a building wanted by Appius and probably in his honor (Cic. *Fam.* 3.7.2–3). Verres demanded money for statues from every one of the 130 censors appointed by him (Cic. 2.Verr. 2.137). Cicero asked Quintus not to interfere in the collection of funds for a statue decreed to Q. Publicus (Cic. *QFr.* 1.2.12). See the brief treatment at Shatzman 1975: 55.

54. Despite probably being outlawed by or before the *Lex Julia*. Cf. Brunt 1990: 55. Cicero felt that the banquets and gifts provided to Verres in Asia were not worth stressing in a prosecution, presumably because they were so common (Cic. 2.Verr. 1.18).

55. See, for example, Cic. 2.Verr. 3.73 and 3.116 for contractors’ fees, and 3.181–6, as well as *Divinatio* 30 for administration fees when purchasing grain. See also De Laet 1949: 108. For recent discussion stemming from the *Lex Portorii Lyciae* and the *Lex Portorii Asiae*, see Takmer 2007: 183 and Cottier et al. 2008: 121.

56. Cic. 2.Verr. 2.142–3. Regulations allowed a certain number of monuments to be erected, but obviously any money raised for statuary was not supposed to be retained for any other purpose. In practice, Cicero asserts, corrupt officials could forever claim that they were about to spend the money on statues without ever doing so. See note 78 below, as well as Cic. 2.Verr. 2.141–6 for a fuller discussion.

57. See note 45, this chapter.

him with grain for his everyday food needs (*frumentum aestimatum, frumentum in cellam*, or *frumentum cellae nomine*).⁵⁸ A governor and his staff were also able to accept accommodation while visiting towns, and to draw a basic allowance of hay, wood, and salt while doing their jobs.⁵⁹ It would, after all, have been difficult to conduct assizes without food, shelter, and fuel. The regulatory challenge, however, surrounded the extent and timing of these requisitions, and this challenge was in no way limited to the last years of the Republic. The senate was already attempting to clamp down on the reckless demands of its members as early as 171: it forbade officials in Spain from setting arbitrary prices for grain and insisted that no city in Greece should provide anything to Roman magistrates unless specified by the senate.⁶⁰ A *Lex Porcia* of 121 or 118 regulated the scope of a governor's requisitions, and by the time of the *Lex Julia* in 59, most forms of profiteering were the subjects of (imperfect) regulation.⁶¹ Calls for grain, ships, sailors, gifts, and hospitality, for example, were permitted only to the extent required by the governor to perform his task. But who would judge that extent? In practice it could only be the governor himself.⁶² The loophole was simple. The Roman magistrate genuinely needed certain resources to perform his duties on behalf of the state, but it was never clear how many resources he needed and when. The door was therefore open to a slew of excessive demands. The magistrate could legitimately extract resources to some degree, but as a profiteering individual and the arbiter of his own public needs, he knew that he could extract more than his state role required. It is worth stressing that the abuse was often less in the type of demand than in its frequency or its timing.

58. *Dig.* 1.1.18, with Zehnacker 1979: 182 and Brunt 1990: 54–6. Cicero claims at *Cic. 2.Verr.* 3.200 that Sicilians should not have to provide grain free of charge, but the law seems to have required no payment. The language he uses is more ethical than legal: “Do you want the Sicilians to supply grain to your magistrates for free? What is less worthy (*indignius*), what is less fair (*iniquius*) [than that]?” Cicero was also more than capable of changing his tune when circumstances demanded; at *Cic. Flac.* 86, he claims that free grain for governors was widely acknowledged to be fair. Cicero's own account of the Sicilian grain allowance (*frumentum in cellam*), moreover, shows that governors in the 70s were not required to pay for wheat. In his summary of charges at *2.Verr.* 3.226, for example, Cicero only mentions that the senate had wanted Verres to apply a generous valuation when his grain allowance was converted into coin; given that he does not mention misuse of money set aside for purchasing *frumentum in cellam*, it is safe to assume that there was no such funding. More decisively, at *2.Verr.* 3.214–5, the Sicilians ask C. Sacerdos to accept coin instead of grain for his allowance, and he generously allows them to pay at 3 sesterces per modius, even though the market price was 5. It would make no sense for him to be spending money to buy grain commuted into money—especially if it were less money—in return. If he is receiving coin, he must surely not be purchasing it. On Sacerdos' governorship, see Brennan 2000: 485.

59. The clearest treatment is at Brunt 1990: 54–6, with Lintott 1993: ch. 6. Shatzman 1975: 53–63 illuminates well the division between legitimate and illegitimate demands, both of which yielded a profit.

60. *Livy* 43.12, 17.2–3, with Rosillo López 2010a: 103 on the Spanish case. *Livy* emphasizes that the Greek communities were being exhausted by these demands. In 170, the people of Abdera in Thrace complained about excessive requisitions from A. Hortensius (*Livy* 43.4.8–9).

61. War against Perseus: *Livy* 43.17.2–3. Crawford 1999: 201–2 and Nicolet 2000: 198 both emphasize the tightening of the rules in the Late Republic through better-codified legislation. See again Brunt 1990: 54–6.

62. Shatzman 1975: 58–62, Brunt 1990: 55–6, Lintott 1993: 105, Kunkel & Wittmann 1995: 351 (stressing senatorial attempts to protect provincials), and Schulz 1997: 287.

To ask for a day's grain was justifiable; to ask for it from several towns a day was profiteering.

In this context, rent seeking appears to have been standard practice, and Verres' visit to Miletus as quaestor in 82 serves as a useful case study.⁶³ Although assigned to aid the consul's army in Gaul, the uncertainties of civil war saw him defect to serve in the East instead. While en route to his destination of Cilicia, he stopped at Miletus. Cicero accuses him of demanding luxurious hospitality at incredible expense—a theme of decadence central to his character assassination throughout the speeches—and witnesses would tell of wool seized in the name of the state (*publice*). It was obviously in Cicero's interests to frame even legitimate requisitions as theft, but the controversy here rests on whether Verres needed the wool for the fulfillment of his public duties, and nobody in the city was authorized to judge that except him. This power—to demand a commodity as an officer but to retain it as a private citizen—capitalized on a permeable boundary between public and private that was easily manipulated by a governor and his staff. The people of Miletus were in no position to deny Verres' claim that he needed this or that for his legitimate duties. Nor were the people of the next city, nor the city after that or the city after that.

Unless he had an unexpected zeal for knitting, of course, we should assume that Verres was looking to sell the wool for profit. The obvious goal was to convert as many of these commodity payments into cash as possible, and there were various ways to do that, some of which seem brazen in their illegality. Aside from the matter of wool, Verres also had the people of Miletus supply him with a warship as escort, one of ten ships that the city was required to provide to the Roman fleet after Sulla's recent pacification of the area.⁶⁴ That was not an unreasonable request, given that he was a Roman magistrate and the ship was to escort him in his public duties. According to Cicero's outraged retelling, however, Verres reached Myndus and ordered the crew to march home to Miletus on foot. He then sold the vessel for his own profit. This kind of theft was, if Cicero's account can be trusted, grossly illegal, but it shows how simple it could be for an unashamed magistrate to convert contributions into money. Verres was once again making a legitimate demand in leading the ship out of Miletus, and assuming the basic outline of the story is true, we might expect him to have offered a (reasonable?) defense for the sale that Cicero is omitting in his hostile retelling.⁶⁵

63. Cic. 2.Verr. 1.86–90.

64. Broughton 1938: 571–2 gives an extensive list of ship requisitions. The case at Messana is perhaps the clearest in the sources: Cic. 2.Verr. 2.23, with Prag 2007: 78–80 on the role of Sicilian ships in the earlier period. Elsewhere, Flaccus demanded ships partly just to adorn Rome's rule of the seas (Cic. Flac. 27). The reversal of this policy by Quintus Cicero apparently spared the cities great expenses (Cic. Flac. 33).

65. Virtually any act of purchase on the part of the governor was prohibited, since he held far too much power for locals to insist on a fair price. The same logic would apply to sales. See Cic. 2.Verr. 4.10, with Berenger 2011: 187.

Converting goods into cash, however, was sometimes far less controversial. To save communities the task of moving bulky items to the governor, for example, locals were able to convert their payments into coin through a process known as *aestimatio*. This would obviously become a more attractive option for the local communities as the task of transportation became more expensive, since it was far easier to transport a few coins than any significant measure of a commodity. The conversion to coin in this case was a favor to the locals, as Cicero tells us:

In fact, jurors, this *aestimatio* originally found its origin not in the interests of the praetors and consuls, but in those of the farmers, for nobody then was so brazen that, when owed grain, he demanded cash. There is no doubt that the practice began with the farmer, or with the city ordered to deliver grain. When someone had sold the grain or wished to store it or was unwilling to convey it to the location demanded, he sought as a service and as an act of good will that he pay the value of the grain instead of the grain itself. From the beginning of this practice and due to the generosity and beneficence of the magistrates, the custom of *aestimatio* was introduced.

As he goes on, however, Cicero outlines how an unscrupulous governor could exploit this procedure for personal gain:

Avaricious magistrates followed, who nevertheless found in their greed not only a way to enrich themselves, but also an escape and a pretext in their defence. They resolved always to order that corn be delivered to the furthest and most difficult places for transporting grain, in order that they would have resort to the *aestimatio* they wanted because of the difficulty of conveyance. In this respect it is easier to criticize than to convict, because we can judge the man who does this, but it is not so easy to establish his crime, since it seems best to allow our magistrates to accept grain in whichever location they wish. And so this may be what many have done, but not so many that it was done by those whom we remember or are said to have been guiltless.⁶⁶

This was not all. Cicero tells us that some magistrates traveled to multiple cities in a day, drawing their “daily” allowance more than once.⁶⁷ Alternatively, differences in grain price within a province could be manipulated by demanding that grain from an expensive area be delivered at another, and then collecting

66. Cic. 2.Verr. 3.190. For further evidence, see Cic. 2.Verr. 2.147 and especially 3.188–91, where it is specifically stated that a modius of wheat could be converted to cash at 4 sesterces, and barley at 2 sesterces. On its manipulability, Broughton 1938: 574, Webber & Wildavsky 1986: 118.

67. Cic. Att. 5.21.5.

the cash willingly offered by a community when moving the costly grain was deemed too expensive.⁶⁸ A similar maneuver allowed governors—if we are to believe the Verrines—to demand the cash equivalent of their grain at the pre-harvest price, even later in the season when grain was cheap and plentiful.⁶⁹ Nor was *aestimatio* confined to food. Verres was alleged to have had a particular fondness for converting all his exactions into cash, from grain and hides to textiles and bags.⁷⁰ A practice designed to help locals was in this way turned against them as Romans began to demand a range of contributions made exclusively in coin.

The most lucrative cash payments, however, probably involved the billeting of troops. It was understandable that a governor—the commander of troops in the province—could demand housing for his army when necessary, but there were few mechanisms to prevent him from manipulating that right beyond its intended circumstances. Once again, a protection racket emerged from the overapplication of what was at times a necessary and justifiable practice. By threatening to send his troops into a city for the winter, the governor opened a sequence of bargaining, and most responded by offering cash to fund accommodation for the troops elsewhere—anywhere but in their own city. “Rich cities,” as Cicero styled them, would pay huge sums to avoid what must have been a torturous few months. The people of Cyprus alone—not the wealthiest part of the Mediterranean—paid 200 talents to avoid hosting troops.⁷¹ L. Piso allegedly imposed billets on Byzantium in frustration that he had been unable to squeeze money out of them in any other way.⁷² Lest someone doubt the burden Piso was accused of imposing on the Byzantines, we might turn to Caesar’s admittedly prejudiced account of Metellus Scipio’s billeting, which, along with sizable bonuses and a free hand to pillage, was imposed on the wealthiest cities of Asia as an indulgence for the troops.⁷³ Probably even more oppressive was Sulla’s billeting of troops among the households of Asia, which were ordered to pay each ordinary soldier 4 tetradrachms per day, not to mention 50 drachmas to military tribunes.⁷⁴ Lucullus, knowing that billeting was abhorred by the provincials, wintered his troops in camp and paid a heavy political price for his virtue: he was recalled by the voters and had his triumph denied for a

68. Cic. 2.Verr. 3.189–90, 3.193–4.

69. See the clear account of M. Antonius and Verres at Brennan 2000: 485.

70. Cic. 2.Verr. 1.95–6 (though quite possibly Dolabella’s crimes instead of Verres’) and the absurdist dialogue at 3.196–7. Sallust claimed that corrupt governors could even cause the price of grain to fluctuate (Sall. Hist. 3.83 McGush).

71. Cic. Att. 5.21.7. The billeting of sailors in both summer and winter was part of Rome’s mistreatment of Chalcis in 170 (Livy 43.7.11).

72. Cic. Prov. cons. 5.

73. Caes. BCiv. 3.31.4.

74. Plut. Sull. 25.2. In addition to the money, each soldier was to receive a daily meal for him and any guest, while every military tribune was to receive two sets of clothing. These were obviously punitive measures following the massacre of 88.

time.⁷⁵ The *Lex Antonia de Termessibus* explicitly declares Termessus' privilege in not having to winter Roman troops.⁷⁶ Billeting must have been horrendous, as it would remain throughout most of European history, and it is no wonder that allies were spared and, crucially, that subjects would pay to avoid it. A governor could, moreover, inflate his profits by issuing the same threat to every city in his province, collecting the money voluntarily offered in return. The role of the state must again be emphasized here. No private individual could threaten cities with such fearsome burdens, and so the protection racket of billeting was a direct result of state troops and the authority given to the governor to winter them where he chose. The state was once again an instrument in the rent seeking of the elite.

This was not strictly money for the governor himself, though all parties understood that he was likely to pocket it. Protection money to prevent billeting fell within a larger pool of payments that a governor and his staff could easily retain in defiance of the law.⁷⁷ Governors received money for public honors, and so long as they claimed that they were planning to spend it on the decreed statues or inscriptions, they could deflect charges of embezzlement. Cicero complains that Verres was employing just this tactic, trying to see out the five-year statute of limitations by continually promising that he was about to spend the contributions.⁷⁸ Asian cities pooled contributions and offered the total to L. Flaccus for games in honor of his father; he may well have spent the money as intended, but the fact that Cicero makes no mention of the spectacles suggests that charges of embezzlement had some basis.⁷⁹ Flaccus was also accused of retaining money that had been left with him for temple repairs in Temnos as well as gold he had seized from Jews who were trying to export it during an embargo.⁸⁰ Cicero accuses L. Piso of canceling a debt as governor in exchange for 100 talents, though we have no idea what Piso's defense was to this charge.⁸¹ In all of these cases, Roman governors are alleged to have manipulated their public positions to top up their own private accounts.

Access to state resources offered two final possibilities for creating personal profits. The first was the business of selling verdicts in courts, a pillar of Cicero's case against Verres and a frequent source of abuse in all provinces.⁸² Governors

75. The testimony of Sallust is preserved at Plut. *Luc.* 33.3–4.

76. *ILS* 38 col. 2 ll:11–3.

77. Even if construed as a gift, such payments were not permitted by the end of the Republic, though in practice they were scarcely regulated. See note 54, this chapter.

78. Cic. 2.Verr. 2.142.

79. Cic. *Flac.* 55–9, with Rosillo López 2010a: 101–2. As an interesting view of the other side, see Cicero's charge that the city of Tralles lent the money at interest while minding it.

80. Cic. *Flac.* 43–4, 67–70, with Zehnacker 1979: 167–75 and Ameling 1988: 11–4.

81. Cic. *Pis.* 86, *Sest.* 94, with Rosillo López 2010b: 991.

82. For a series of individual incidents with which Verres was tried, see Cic. 2.Verr. 2 *passim*, as well as the basic charge at 1.Verr. 1.10. Cicero claimed elsewhere that provincials resented the fair verdicts of Roman magistrates, though few today would trust his words: see Zehnacker 1979: 185. On the development of Roman jurisdiction in Asia, see Sherwin-White 1984: 238. And on the legal and political structures of jurisprudence in the East, see Kallet-Marx 1995: esp. 126–38. On judicial corruption in general, see now Rosillo López 2010a: ch. 4.

could also rule in court that communities were immune to taxation and then earn “gifts” in return.⁸³ The other was through embezzlement of public money. M. Fonteius, for example, was accused of as much, and such charges were common enough that Cicero could speak of them generically.⁸⁴ Verres was accused of pocketing the cash the state gave him to purchase food for the city’s grain dole.⁸⁵ Alternatively, in case a governor was not willing simply to seize the money, he could lend it out at interest and retain the profits.⁸⁶ The senate offered a lavish bonus to governors to ensure that they did not *need* to squeeze the provincials, but in practice this seems to have done little.⁸⁷

Both of these sources of profit demonstrate the basic phenomenon at the heart of this chapter. The Roman aristocracy did not simply ravage the provinces as a set of social superiors reliant upon their own personal capacities; nor did provincials hand over vast sums of money to just any Italian who passed through, collecting his share of the empire. Elite Romans made a great deal of their money through the state. Just as they had relied on armies, diplomacy, and financial contracts to squeeze foreigners through debt relations, governors and their subordinates manipulated the legal and illegal demands that the state empowered them to make for cash, grain, and various other commodities. The state was more than powerful enough to threaten local communities with convictions in court or with the horrors of billeting soldiers, just as it could demand that its representatives be provided with food, shelter, and fuel. Despite this exclusive power of the state, however, there was not enough autonomy to reserve its use for legitimate, public endeavors. Those prominent enough within society to have access to state resources were privileged with forms of enrichment that the rest of the population lacked. The state, through its coercive means, its legal structures, and its administrative footprint, became the instrument of its masters as the latter used it to dig deeper and deeper into the empire’s bounty.

CONCLUSION

Not all profits were the result of avarice, since various good deeds could result in voluntary payments from local communities. L. Lucullus, for example,

83. 2.Verr. 4.23, where Cicero exempted Messana from various dues and then received a ship from them for free. This may have been Gabinius’ plan in his liberation of Syrian and Jewish communities from taxes and tribute (Cic. *Prov. cons.* 10), though I suspect the more generous reading at De Laet 1949: 71, 87—that Gabinius was trying to minimize the abuse of the *publicani*—is correct.

84. Cic. *Font.* 3: “*Atque homines, si qui in hoc genere quaestionis accusati sunt.*”

85. Cic. 2.Verr. 2.170–9. Instead of purchasing grain, Verres was allegedly demanding cash at an inflated price. He could then spend part of this cash payment on the grain he was obliged to provide to the capital, or he could use tithe grain that he had collected earlier through overtaxation. At Cic. 2.Verr. 3.178–9, Cicero claims that Verres employed the latter method, though the account is suspiciously hyperbolic.

86. Cic. *Pis.* 86, with Badian 1972a: 109. Cic. 2.Verr. 3.165–9 claims that Verres was charging 24 percent interest on this sort of loan.

87. Kunkel & Wittmann 1995: 351–2.

inherited part of his wealth from bequests “in exchange for outstanding liberality and great benefactions” as proconsul in Asia, and others received well-deserved funding for games or statues, as was discussed earlier.⁸⁸ This more conciliatory tack could be an especially advisable course of action in provinces like Sicily, where the governor lacked large military forces or where the locals retained some means of self-defense.⁸⁹ Despite some few exceptions, however, virtue was not the hallmark of Roman administration in the provinces. This chapter has neglected cases of outright extortion, and has skirted enormously lucrative businesses like that of seized art objects, yet the nature of so much Roman profiteering should be clear. Furthermore, while Verres’ sins—so central to the latter half of this chapter—are no doubt embellished in Cicero’s improbably rich catalogue, other governors in other provinces likely had other means of profiteering that are no longer attested. What, for example, were Verres’ peers doing in provinces with silver mines, or sources of slaves, or barbarian neighbors to harass? It is unfortunate for Verres that our chief source for the period happened to be his prosecutor, and so, while there can be no doubt that Cicero has exaggerated some of Verres’ crimes, it may well be true that his greatest hyperbole is in elevating Verres beyond his contemporaries in other provinces.

While Verres emerges as no saint in the years between magistracies, it is no coincidence that Cicero focuses on his deeds as (pro)quaestor and (pro)praetor. It was while in office that the opportunities for enrichment were at their ripest, since it was only in these years that Verres commanded troops and decided the fates of locals in court cases. From the perspective of elite Romans like Pompey, Brutus, and Verres, the state was integral to private profits, since it was uniquely well equipped to squeeze more and more money out of those poor provincials who were caught in its contracts, its fiscal relationships, its military demands, its treaty obligations, and its other domains. Without the state, elite Romans could not cast their nets into these richest of waters.

From the state’s own perspective, however, the story was not so rosy. It was constantly engaged in raising more money in the provinces, but saw little of the winnings. Its work was being done on behalf of powerful individuals who were commandeering its agenda for their own enrichment, ensuring on the one hand that the empire continued to pay up, but on the other hand that the wider citizens and their treasury received a limited share. When it comes to explaining how Rome’s leading families managed to enrich themselves so much faster than the rest of society, this story of state labor on behalf of private profits is central. The aristocracy managed to centralize the costs of raising money by deploying

88. Cic. *Flac.* 85, with Plut. *Luc.* 20, 23.1. On Lucullus’ benevolence in Asia, see Santangelo 2007a: 125–6.

89. The case of C. Verres notwithstanding. On the relevance of the Sicilian case in this regard, see Prag 2007 and Prag 2009: 137.

the resources of the entire Roman people, all the while hoarding the profits for their own private gain.

Thus the gap between gross and net taxation widened, and the engine driving them apart was the imbalance between the state's capacity and its autonomy. Although the Mediterranean was littered with poor souls who could attest to the awesome power of the Roman state, it was always clear that that state was the captive of the leading aristocrats, men who could prioritize their own personal goals over those of the collective Roman people. Citizens under arms were used in the collection of debts for private creditors, yet the state and its armed forces would see few of the profits. Provincial administrators could exercise the state's claim to grain, shelter, and other commodities, but could not be stopped from pocketing what was handed over and retaining it beyond the needs of the state. It was largely through this manipulation of the state's claims and capacities that the privileged few made so much money in the provinces. A Roman aristocrat could not lead his own personal army through foreign lands or—with few exceptions—force provincials to provide him with anything in the name of his own dignity. Instead, his profits tended to flow from the resources and claims of the Roman people, centralized in the form of the state. Fortunately for the aristocrat, this state was in no position to resist such abuse. It proved to be excellent at raising money and terrible at retaining it, which, for its aristocratic beneficiaries, was the best possible outcome.

PART II

The Power of Taxpayers in the First Punic War

The purpose of part I was to show how the aristocracy shaped a system of provincial exploitation that provided them with the greatest wealth possible. It might go without saying that people like to become richer, but there is more at stake here. What Rome's aristocrats really desired was autonomy and control. By channeling Rome's new wealth away from the treasury and into their own estates, elite Romans retained control over society's economic surplus and reserved the right to decide how it would be spent. So long as aristocrats possessed a critical proportion of Rome's disposable wealth, they enjoyed a degree of autonomy, and even a degree of control over Rome itself.

The aristocracy's problem was that autonomy was always limited when it came to the state. The use of state resources was bound by rules and limitations, was restricted to years when an individual was in office, and was subject to oversight by senatorial peers and rivals. These resources could not, however, be ignored by ambitious aristocrats. The state bristled with the stuff of power; with the soldiers, ships, and economic resources needed for war; with the institutions to govern and earn renown; with a reputation inspiring awe in foreigners. It possessed, in other words, the resources leaders needed to fulfill their ambitions. Unless they wished to renounce all of that, aristocrats had to play by certain rules.

This also meant that leaders could never be entirely free of the population that provided the state with its valuables: at no point in the Middle or Late Republic, for example, could an aristocrat fight a war without citizen manpower. In the third century, fiscal realities extended that dependence to citizen finances. Before 167, citizens had funded Rome's wars through *tributum*, a levy imposed when wars required funding and that took the form of a theoretically refundable property tax on those whose overall wealth was above a certain limit.¹ This meant that any costly project was dependent on the taxpayers—the relatively well-off citizens who contributed *tributum*—for its viability; if they

1. Nicolet 2000: 73–7 for an overview of the history of *tributum*, with Eich & Eich 2005: 20–1 and Northwood 2008.

disapproved of the enterprise, they could theoretically disrupt the flow of *tributum* and unfunded plans would simply wither on the vine. Reliance on citizens for state revenues, in other words, made leaders reliant on the citizens themselves. With the establishment of provincial revenues, however, Roman leaders seized the opportunity to end *tributum* and thus to liberate themselves from, if not the citizens' arms, at least from their wealth. From 167 onwards, the treasury would fund policies with or without the consent of those citizens who had formerly paid *tributum*. In fact, one advantage of maintaining a thin state—the subject of part I—was in ensuring that the state would have all it required, without having to ask the citizens for more money, and by extension, hitching a policy's viability to the willingness of taxpayers to hand over the cash. Where a more ambitious state would have required more wealth and more consent, this state kept leaders from having to bargain with taxpayers.²

It might be objected that evidence for such bargaining has never come to light, and that the assumption that paying taxes empowers citizens is drawn from an anachronistic model rather than from Roman history. It is true that this dynamic has never been part of the conventional narration of Roman politics, but rereading history through a fiscal lens reveals that these conventional histories have been missing something important. In the third century, in fact, fiscal issues seem to have empowered a Roman citizenry that, when it came to confronting the political elite, was more formidable, more assertive, and more successful than its second- and first-century descendants would be. This power especially comes into focus when circumstances imposed the most severe strains on the fiscal system and taxpayers were asked to make the greatest sacrifices: the First and Second Punic Wars. Each will receive its own chapter.

The purpose of these two chapters is to establish how Roman politics worked in the absence of overseas revenues. By the year 200, such revenues were ubiquitous, so the only means to examine how politics operated when Romans were surviving on their own economy is by shifting our gaze to a period before 200. Did taxation play any significant role in shaping Roman politics before the acquisition of overseas provinces? It certainly did, and when it comes to demonstrating how and why, the First Punic War (264–41) provides an excellent case study for three main reasons. First, it began nearly a century earlier than the end of *tributum* in 167, and therefore shows the Roman war machine at work long before the creation of Rome's imperial fiscal system. In doing so, it reveals what Roman politics looked like—and might have continued to look like—in the absence of empire. By establishing how Roman fiscal politics operated before the great conquests of the second century, it is possible to identify change over the course of expansion. Second, the First Punic War was the first

2. Eich & Eich 2005: 29.

time Rome wrestled with the exceedingly costly business of naval warfare, and hence demanded unprecedented exertions on the part of Rome's fiscal system. The strains brought tensions to the surface, where they are easier to identify and to explain. Finally, though I would love to offer a fourth-century study, the evidence to fuel such an endeavor is slim. The First Punic War is covered in greater depth and by a greater wealth of sources than any prior war, and hence our evidence, while far short of what we might desire, for the first time permits sufficient material for analysis. The titanic struggle revealed fissures within Rome's usual governmental structures, and the accompanying social tension, so central to the focus of fiscal sociology, appears with unprecedented clarity in the evidence.

The Romans were already the great power of Italy when the war commenced in 264. A decade earlier they had seen off invasion by Pyrrhus of Epirus and had received an embassy from Egypt's Ptolemy II as a mark of their new stature.³ It was in this context that the Romans made the fateful decision to take their legions across the Straits of Messana and fight away from Italy. In geographical terms, this was perhaps not quite as enormous a step as some have made out: Sicily was part of the same Greek world that stretched through southern Italy, and the invasion of Pyrrhus had proved that "overseas" was a lot closer than previous generations of Romans might have believed.⁴ In fiscal terms, however, the war represented an enormous shift. Rome's finances were transformed by the embrace of regular naval warfare and the support of armies abroad. In the course of this twenty-three-year struggle, Rome lost around 700 warships. The number of other vessels lost is unknown, but given that one particular fleet of 120 ships was accompanied by some 800 transports, the mind boggles at how many of the latter may have been lost to storms, piracy, and the enemy.⁵ And this does not even take into consideration the loss of life. To have replaced all of this was an astonishing feat, and Polybius, an author who knew state administration well, was suitably impressed. After detailing the naval forces before one battle, he paused: "These are figures calculated to strike not only a man on the spot, with the forces under his eyes, but even a mere listener with amazement at the magnitude of the struggle and at the lavish outlay and vast power of the two states."⁶

The Romans must have known that the decision to venture out of Italy risked enormous wars, and that enormous wars were enormously expensive.⁷ Neither

3. Livy *Per.* 14; Dion. Hal. *Ant. Rom.* 20.14.1–2; Dio 10.41. For discussion, see Loreto 2011: 186.

4. Walbank 1957: 57–8.

5. Polyb. 1.63.6; 1.52.6. The number of ships suggests a great deal of booty. On the size and number of supply ships needed for an army, see Erdkamp 1998: 55–6.

6. Polyb. 1.26.9.

7. There is no consensus surrounding the Romans' precise aims in invading Sicily. The Romans may have been pursuing a small, localized intervention in Messana, but they must have understood that even such a minor intervention threatened to unleash a major war with Syracuse or Carthage. For the argument that Rome

Syracuse nor Carthage could be taken lightly. Each could marshal formidable forces on land and each could threaten the Italian coast if Rome ceded the sea.⁸ The decision to begin this war was a commitment to fund a more distant operation than any the Romans had previously waged. There is no shortage of questions as to how the First Punic War was funded and how the Romans perceived their fiscal challenges.

This chapter will stress three aspects: the political importance of fiscal issues when committing to the war; the ways in which the citizenry repeatedly starved the war machine of resources; and the way in which the political class drove the war effort in spite of the tax base's resistance. To begin an examination of how fiscal issues affected politics, however, requires some sense of the degree of comfort with which the state's revenues could cover expenses. There will be no attempt at precise quantification here, for two reasons. The first is that the cost variables in these first Roman fleets are uncomfortably high.⁹ The second is that an estimate would scarcely advance the argument. It is beyond doubt that the fleet was expensive and was fiscally unprecedented. A more precise figure would be meaningless without other references for the cost of the army, the cost of prior wars, and (most irretrievably) the tax yield. It is enough to know that there were only minor changes to the tax base, but there was indeed a transformation in outlays, and so an examination of whether income could meet expenditure—irrespective of the precise figures involved—is what really matters.

COULD ROME'S TAXPAYERS AFFORD A FLEET?

The hypothesis being tested in this chapter is that, in the absence of provincial revenues, Rome's leaders had no choice but to rely on Roman taxpayers to fund their wars and, by extension, required taxpayers' approval for said wars. The nature of that dependence relies on the indispensability of citizen taxes, and so any examination of this fiscal politics requires some understanding of the degree to which leaders could acquire money from sources other than the citizen tax base. If the war effort would grind to a halt without the participation of Roman taxpayers, then it is safe to say that they are irreplaceable; only then can

was trying to avoid conflict with these two formidable foes, see Hoyos 1998: 53–7, with Gehrke 2002: 159, Loreto 2007: 33–43 (stressing Rome's overall lack of readiness for a Sicilian war), and most recently Eckstein 2006: 165–6, Burton 2011: 129–31, Rosenstein 2012b: 59–60, and Prag 2013: 55.

8. On the perceived and real threats to Rome in the central Mediterranean, see the lengthy discussion at Hoyos 1998: ch. 1–3, Eckstein 2006: ch.5, esp. 158–68, and Loreto 2007: esp. 23–30, on Roman perceptions (or delusions) regarding Carthage's Sicilian policy.

9. Loreto 2007: 213–4 has offered his reconstructions expressed in talents, which I cannot better. He bases his expenses on comparison with the Athenian trireme, which is not unreasonable, but which is little more than a guess. Given that the Romans lacked Athens' well-established shipyards, and given that this was Rome's first attempt at naval shipbuilding, the margins for error are enormous. Beyond the simple statement that naval warfare was not cheap, it is hard to better the view that "the costs of warships and their crews are completely unknown" (Rosenstein 2016b: 85).

one ask whether that irreplaceability endowed citizens with bargaining power. In the absence of budget data, however, there is no conclusive way to measure the proportion of Rome's revenues that was derived from local taxes, and so it is useful to reframe the question: Did the war effort rely on external windfalls? If this was the case, then it is safe to assume that regular revenues were unable to meet expenses, and hence that leaders could not afford to jeopardize the contributions of taxpayers. The argument here is that, by examining the course of the conflict's opening years, it is possible to conclude that the land war stretched the domestic Roman tax base about as far as it could go, and that it was only the profits of early successes that allowed the Romans to expand the war to both land and sea. This conclusion will in turn facilitate deeper political questions.

Although the Romans would bring war to virtually every corner of Sicily, the initial operations were concentrated in the east of the island. They proceeded quite rapidly to capture Agrigentum in 261, and from there engaged in a dour, smoldering conflict to conquer the remainder of Sicily to the west. This broader war would only be possible with a navy. The decision to target the traditional strength of the Carthaginians—by reputation a maritime people—in 260 marked a defining escalation in the war.

It took Rome four years of campaigning to embrace the war at sea. Rome's naval interest prior to the war is the subject of some debate, but there can be no doubt that the fleet of 260 was a dramatic new epoch for their naval history.¹⁰ Rome already had a strong maritime presence before 264.¹¹ Starr and Harris have also both assembled evidence for a more aggressive Rome in the generations before this war, pointing especially to the establishment of the colony at Pontiae as demonstration of maritime ambitions.¹² There is also vague evidence for an expansion in the number of quaestors in 267, reflecting increased naval demands, though it scarcely withstands scrutiny.¹³ The Romans had never, however, taken naval warfare as seriously as they would from 260, and this can be seen both in the funding of the fleet and in the status of the men who commanded it. Take one reported Roman naval action in 310 as an example. A "Roman fleet" (*classis Romana*) landed near Pompeii and ravaged the fields, though the troops eventually strayed too far in their quest for booty and were driven back to the

10. Loreto 2007: 50–7, linking the adoption of naval war with an expansion of war goals from Messina to the whole island.

11. See the evidence at Steinby 2007: ch. 2. For a more conservative reconstruction, see Thiel 1954; and for a set of counterarguments, see Hoyos 2010. Loreto 2007: 46–9 argues that the Romans, though concerned with a series of coastal defenses, nonetheless lacked a significant fleet presence.

12. Starr 1980: 61–4, Dart 2012, and Harris 2007: 313, with a discussion of the treaty with Rhodes at pp. 315–8. Cornell 1995a: 388 acknowledges Rome's interest in naval matters in this period, but limits it to support of the army and protection of Italy.

13. Steinby 2007: 71–2, with references, as well as Harris 1976, Hoyos 1998: 19, and Ferone 2003 on the dubious validity of the claim. Prag 2014: 55–6 briefly reopens the case for the existence of *quaestores classici* based on new evidence for quaestors approving ships' prows, but he promptly closes it again.

ships by the locals.¹⁴ The identity of the commander, a certain P. Cornelius, is uncertain, and this obscurity reflects the relative lack of prestige attached to his position.¹⁵ Livy also makes special effort to say that Cornelius was appointed by the senate to command the fleet—he did not, therefore, occupy an elected magistracy.¹⁶ All of this is a long way from the later naval command of C. Duilius in 260. In this instance, the fleet was given to a consul, elected by the people and fighting under his own *ductus imperium auspiciumque*.¹⁷ We know exactly who Duilius was because he earned ever-lasting fame from his command and even set up a rostrated column in the Forum.¹⁸ The elevation of naval warfare—in which ships fought each other instead of simply raiding the coast—to the level of consular business reveals its new status.

Even the ships themselves marked a departure from earlier years, and this is the most important fiscal point. Polybius tells us that the first ships used in the war were not Roman per se, but were contributed by naval allies like Tarentum, Locri, Elea, and Neapolis.¹⁹ The ships these allies contributed, moreover, were small fry compared to the quinqueremes of the Carthaginian navy. The Romans may well have been directing war at sea in the fourth century, and may well have had greater ambitions in the third, but Duilius' fleet in 260 was a novelty in that the Romans committed to the construction of large warships built with their own money and commanded by the highest magistrates. Though not to be

14. Livy 9.38.2–3. See also Steinby 2007: 60–4, and on the importance of coastal raids in general, Bragg 2010.

15. *MRR* suggests either Cossus Arvina (cos. 306) or Scipio (dict. 306), and that is followed at Oakley 2005: 483.

16. Thiel 1954: 10 was convinced that Cornelius was a *duumvir navalis*, and *MRR* more cautiously suggests as much, though with question marks. Steinby 2007: 64 and Dart 2012: 1005 are rightly wary. There are two issues here: the first is the lack of evidence for Cornelius' position as *duumvir*; the second is the fact that even a *duumvir* had no particularly high status and hence still demonstrates naval warfare's low priority prior to 260, when the fleet was directly led by a consul. Livy 9.30.4 explicitly says that *duumviri* were elected by the people, but Cornelius was appointed by the senate. It is possible that he was elected to fit out and maintain the fleet—the job of the *duumviri* according to Livy 9.30.4 (see also Dart 2012)—but was then given a more specific command by the senate. *Duumviri* in 181 also seem to have been elected, with the consuls ordered to convene the voters (*duumviros . . . consules creare iussi*—compare Cic. *Nat. D.* 2.4.10). Or Livy may be wrong in some or all of his details. In any case, Thiel's confidence seems excessive. Even if Cornelius was a *duumvir*, however, it is still plain that the prestige of the post equated more to that of a military tribune—with which the office of *duumvir navalis* was linked at its creation (Livy 9.30.3–4)—than that of a consul like Duilius in 260. There was certainly a new emphasis on the navy in the consular command of 260.

17. For the terminology see Vervaeke 2014: ch. 1. The honoring of Duilius at *CIL* 1².25 emphasizes the fact that he was consul, though there is no attested use of *ductus imperium auspiciumque*.

18. See *MRR* for the many sources. Importantly, the elogium at *CIL* 1².25 describes Duilius as the first consul to raise and deploy a fleet. C. Maenius had also decorated the speakers' platform with captured rostra in 338, but he had earned his triumph as consul in command of land forces (Livy 8.13.5–8). On Duilius and the celebration of his deeds, see Kondratieff 2004.

19. Polyb. 1.20.14. The division between Roman and allied also gives greater credence to the rest of Polyb. 1.20, in which he states that Roman shipwrights had no experience in building quinqueremes—nowhere does he state that they had never deployed warships operated by allies. Loreto 2007: 49–50 has justly pointed out that Polyb. 1.20.10 (“the shipwrights being utterly ignorant of how to build quinqueremes”) implies that they had previously been building other ships and thus must have had a navy. Never, however, does Polybius state that the shipwrights were specifically Roman. Nor, more important, is Polybius specifying naval shipwrights. There is nothing to prove that these were not builders of civilian vessels who were now picking up contracts for warships.

belittled, much of Rome's earlier naval activity had relied on allied ships funded by allied cities. These vessels seem to have been provided within the terms of each city's treaty, so Rome could not simply call up five times as many ships as were stipulated.²⁰ Such a force seems to have been adequate for war within the peninsula, but until they were willing to support the fleet with their own treasury, there was a ceiling on Rome's naval capacity. The decisive breakthrough comes in 261. In that year the Romans must have begun construction of a fleet of quinqueremes and triremes for the upcoming sailing season, and in 260 they entrusted a naval command for the first time to a consul under his own auspices. This first consular fleet is a definite break in Rome's naval history.²¹

Why, however, did the break not occur in 264, as soon as hostilities commenced? Or indeed, in 263, 262, or 261? There are two leading theories for why the Romans only entered the naval war in 260. Polybius claimed that it was the capture of Agrigentum that changed Rome's aims from a localized intervention around Messina to a broader conquest of all Sicily.²² By the time they attacked Carthaginian forces so far west, however, the die must already have been irrevocably cast, and it is hard to see how they were not already pursuing a wider war by this point. Even if, moreover, the plan had been to confine the war to Sicily's east coast, a fleet would still have been a more than prudent measure—yet none was built. As an alternative explanation, Bleckmann argues that the construction of the ships was an almost spontaneous decision, prompted by very recent events and by new consuls who wanted greater scope for glory.²³ This surely underestimates the time needed to build the fleet, the sort of preparation the crews required and the degree of consensus that must have been fostered to spend so much money on vessels and crews.²⁴ Why, moreover, would a senate so envious of glorious individual commands—a fixture of Bleckmann's thesis—decide on a whim to give the consuls such a weapon? The consuls would

20. On these treaties, see Rich 2008b: 60 and 68. Messina had to provide a ship according to its treaty, even though, as Rich notes, its alliance with Rome was made under the most favorable of circumstances (Cic. 2.Verr. 2.23). Miletus was also obliged to provide warships to Rome in Cicero's day (Cic. 2.Verr. 1.87). Treaties requiring the provision of ships are explicitly recorded at Polyb. 12.5.2, as well as Livy 26.39.5, 35.16.3, 36.42.2, 42.48.6.

21. *Contra* Pitassi 2009: 48–9, who argues that the fleet was being built since 267. His ingenious attempt to reread Polybius in support of this view defies the obvious fact that Polybius himself believed the fleet to have been built quickly after the capture of Agrigentum in 261. His thesis of steady construction each year also fails to explain the varying (and sometimes frenetic) rates of construction in the period 254–44.

22. Polyb. 1.20.1 explicitly links the fall of Agrigentum to the expansion of the war to western Sicily. Bleckmann 2002: 101–6, partly in dialogue with Heuss 1949, rejects Polybius' interpretation with a valuable discussion.

23. Bleckmann 2002: 106–9.

24. Polyb. 1.38.5–6 says that the Romans built 220 ships in three months, but this was in 254, when the war machine was more experienced. On the crews, Polyb. 6.19.3 says explicitly that members of the lowest census class were all subject to naval service, and the quip of Claudia—that she wished her brother would lose more fleets to decrease the crowds—only makes sense if the urban masses were manning the ships (Suet. *Tib.* 2.3). It is unlikely that these men could simply be enrolled in spring to defeat the Carthaginians that summer.

surely want a fleet, but the rest of the senate would strive to prevent it. Neither Polybius' nor Bleckmann's theory seems satisfactory.

More pertinently, however, the alliance with Hiero and the sack of Agrigentum changed Rome's financial situation. Hiero paid an indemnity of 100 talents in 263, and Agrigentum provided "much booty of every kind" in 262.²⁵ What is more, Hiero helped to supply the legions, freeing up *tributum* for other uses.²⁶ The escalation of the war is therefore better understood in light of new means rather than new ends. By adding the windfalls of Agrigentum and Syracuse to their regular revenues, the Romans could finally afford the fleet they needed to wage a proper war in Sicily.²⁷ Nobody can say for certain how eagerly they had waited for this chance, but there is certainly no evidence of surprise or regret when the time finally came to build these ships. The assembly could have refused to pay for a naval arms race—it would take exactly that step in 253, as discussed later—but there is no trace of reluctance to spend the money in 261 or 260.²⁸ It seems that the people, having signed up for the war in 264, were all in. They had paid as much in *tributum* as could be expected, but were still unable to afford a fleet, so they cashed in their early successes to build 100 quinqueremes and 20 triremes for deployment in the fifth year of the war.²⁹

The coincidence of windfalls and shipbuilding suggests that *tributum* alone could not cover the cost of the new fleet until Hiero's indemnity and a few major victories eased the burden. Until 262, Rome's domestic revenues were consumed by the land war, but this only demonstrates the extent to which the war effort was restricted both by and to this limited tax base. Rome could not simply decide to fight any war it might choose. Its options—like those of all warring states—were constrained by fiscal realities, and those realities entailed one particularly important political dynamic: the entire war effort depended on Roman citizens contributing *tributum*. Unlike their descendants in the Late Republic, third-century Romans provided the economic fuel for the war machine, and so their consent was a *sine qua non* of waging war. Does the evidence suggest that Roman political actors—both leaders and masses—consciously operated in the knowledge that taxpayer consent was indispensable? Did this knowledge produce a manifestly more powerful citizen body? The answer to both is yes. The voters not only decided whether to begin the war but they also later forbade the senate from building new fleets, and they would conclude the war by rejecting the first version of a peace treaty. Although a first-century Roman like Cicero

25. Polyb. 1.16.9, 1.19.15, with Zonar. 8.10. On the importance of Agrigentum to the fleet's financing, see Loreto 2007: 189.

26. Erdkamp 1998: 96–7, Roth 1999: 225. Vollmer 1990: 81, noting his material support in later years, refers to Hiero as "mehr Kaufmann als Soldat."

27. Loreto 2007: 188–91.

28. Zonar. 8.14.

29. Polyb. 1.20.9. On the ratio of quinqueremes to triremes, note the archeological finds at Tusa & Royal 2012.

would have been shocked by such assertiveness of citizen assemblies in matters of high strategy, contemporaries of the third century appear to have understood that a degree of popular control was unavoidable.

TAXPAYER CONTROL AND THE DECLARATION OF WAR

If it is safe to posit that Rome could not afford to fight a major Sicilian war relying exclusively on its own revenues, then it is worth revisiting the decision to begin such a conflict in the first place.

The background to the First Punic War is well known.³⁰ In brief, a group of Campanian mercenaries called the Mamertines had been employed around twenty years earlier by the Syracusan tyrant Agathocles. Upon their dismissal, they were invited into the city of Messana, which controls the Sicilian side of the Straits, but they quickly seized it and took possession of the wives and property of the former inhabitants. In 264, the Mamertines in Messana were attacked by Hiero of Syracuse, and appealed to Carthage and Rome for aid. This presented the Romans with a dilemma. Some years earlier, during the Pyrrhic War, the Romans installed 4,000 Campanians as a garrison in Rhegium, the city that controls the Italian side of the Straits opposite Messana. These Campanians saw the Mamertines in possession of a wealthy city and similarly decided to seize Rhegium. This earned the ire of the Romans, who, once finished with Pyrrhus, recaptured Rhegium and executed the garrison—partly as a warning to other garrisons, but also as a display to Rome's allies that they were a responsible hegemon that would not be party to such abuse of power. Having just demonstrated that they had no sympathy for rogue mercenaries, it would be rank hypocrisy to aid the Mamertines.³¹ On the other hand, here was an open invitation to establish a foothold in Sicily. Although Carthage had promptly responded to the Mamertine request by installing a garrison in Messana, the Romans still had to decide how they would act. The senators dithered for some time, but eventually they left the decision to the people, who took the Mamertines under their protection and sent a consul, Appius Claudius Caudex, to Messana.

The enormity of the decision has been lost on no one, but eyebrows have been raised at the role of the people. In the better attested years of the Late Republic, the senate almost invariably controlled strategic and foreign policy, and when the people did intervene, it tended to be to promote a specific individual, often an alleged demagogue, in defiance of the senate. It would have been inconceivable, so the argument goes, for the senators to have willingly referred such a

30. Polyb. 1.7–11 is the starting point of any examination of the war's opening. Hoyos 1998: ch. 1–3 sets out the background in depth, and is condensed in Hoyos 2011b. The whole war is retold at Lazenby 1996, and a clear summary can now be found at Rosenstein 2012b.

31. Burton 2011: 131–2 offers an enlightening discussion of the hypocrisy.

momentous decision to the people without at least a unified recommendation. These were, however, different times. Rome in 264 was still fiscally restricted to its domestic tax base; this was, in other words, still the age of *tributum*. Since citizen taxpayers overwhelmingly funded state enterprises in this period, pursuing war without their consent would have verged on the suicidal. Supplies and funding could have dried up just as the troops landed on foreign soil, or a dangerously half-baked war would have to be waged against powerful foes like Syracuse or Carthage. The Romans may have hoped that they could confine any engagement to a small corner of Sicily, but they cannot have been so daft that the prospect of a wider—and potentially naval—conflict never crossed their minds. This war always threatened to be expensive, and since the voters would be funding it, their consent was a political necessity. Hence, the senators did as they would do throughout the war and accepted the decisive role of the citizen body. Fiscal constraints, it seems, played a powerful part in shaping the nature of Roman politics.

To make this case requires first establishing that the senate did indeed defer to the voters on the question of whether or not to accept the Mamertines' appeal, and that investigation requires some historiographical drudgery. Reconstructing the course of events is no easy task and requires close reading of the sources and some detailed argumentation. As a result, the next seven paragraphs are for specialists in Roman Republican history, and those (fortunate) readers who are not obliged to reconstruct the events from the minutiae of sources should feel free to skip the next eight paragraphs.

There is no unanimously accepted reconstruction of exactly how the Romans came to intervene in Sicily, nor who made the fateful decision. Even the surviving ancient authors disagree. According to the epitome of Livy, the senate decided to invade Sicily, though no other source concurs.³² Diodorus Siculus has the Roman people make the critical call: "When the *demos* (the civic body) of the Romans learnt this, it sent one of the consuls, named Appius Claudius, with a strong force, and he went straight to Rhegium."³³ Zonaras agrees that the Romans "voted" to send Appius.³⁴ The longest account of all is Polybius'. He has the senate stew over the decision, before Appius and his colleague, M. Fulvius Flaccus, lure "the many" (*hoi polloi*) with promises of booty to approve the intervention.³⁵ Most agree that *hoi polloi* here refers to Roman voters, though some have argued that Polybius is actually referring to "the majority" of senators.³⁶ It is frustrating that such a consequential moment in history is recorded

32. Livy *Per.* 16.

33. Diod. Sic. 23.1.4.

34. Zonar. 8.8.

35. As well as the potential threat of Carthaginian expansion, Polyb. 1.10.3–11.3.

36. Eckstein 1980, Eckstein 1987: 80–3, Calderone et al. 1981, Bellomo 2013.

so unclearly and in so few words, but it remains necessary to commit to a reconstruction of events before offering an interpretation.

It seems more than likely that the decision on intervention was indeed taken to the people. Hoyos and Bleckmann have assembled strong philological and political cases in favor of reading Polybius' *hoi polloi* as the populace.³⁷ Hoyos has also offered good reasons to reject the epitome of Livy as an accurate reflection of Livy's original text—that is, even if the summary records a senatorial decision, there is no proof that Livy himself had written it that way. Yet even if Livy had indeed stated that the senate made the decision to defend the Mamertines, it is not difficult to explain why a much later historian like Livy, familiar with senatorial control of foreign policy, would assume such a version when writing his history. It was only natural for him to fall back on such anachronistic preconceptions. Polybius, on the other hand, offers a more interesting set of assumptions. Similarly accustomed to senatorial control of strategic matters, he nonetheless stressed in his “constitutional” analysis the people's “all important” (*to megiston*) right to decide questions of war and peace. He must have had reasons for contradicting the reality he knew best, and the case of 264 was likely one of them.³⁸

There are still other controversies. Bleckmann has offered a reconstruction in which aristocratic competition trumped policy. According to this view, the majority of senators were opposed to aiding the Mamertines because they did not want the consuls—and especially Appius, a member of the powerful Claudian clan—to reap the rewards of the resulting victory. The war-mongering consuls, however, were desperate to win military glory while in office, and they defied their fellow senators. Lacking the sanction of their peers, according to Bleckmann, the consuls turned to the popular assemblies and convinced them to approve the project, much as Marius, Pompey, and others would do in the Late Republic.³⁹ In this version, the Roman people not only make the decision but they also defy the senate majority in doing so. Their consent is won by a pair of consuls who override their war-weariness with promises of booty.

Although aristocratic rivalries were undoubtedly real, there are two basic reasons to doubt Bleckmann's reconstruction of opposition forces. First, there is no trace of such a debate in the sources, despite Rome's fascination with these shows of aristocratic ego. Defying senatorial peers bestowed everlasting infamy on the military impetuosity of C. Flaminius and C. Terentius Varro, on the dramatic obstinacy of Scipio Africanus, and on the political stubbornness of the

37. Hoyos 1998: 57–64; Bleckmann 2002: 71–7, along with Walbank 1957: 60–1 and Rich 1976: app. 1. Both Hoyos 2011 and Bleckmann 2011 offer summaries.

38. Polyb. 6.14.10. Another such instance occurred in 200, for which see later. See also Millar 1984: 4–5 on the role of popular assemblies in foreign policy.

39. Bleckmann 2002: 69–77, condensed and translated at Bleckmann 2011: 170–1.

brothers Popilii.⁴⁰ Fascination turned to obsession in the case of the Claudii, whose exhibitions of pride and ambition became the stuff of legend. Surely, if Ap. Claudius Caudex had defied the senate so brazenly in 264, such a demonstration of *Appietas* would have been included in the canon of Claudian sins.⁴¹

That is, however, an argument from silence. Given the state of the evidence, one might reply that we should not expect to know the backdoor machinations of the elite. We will never spy the hidden debates of the senate, it is true, yet there is not even a trace of *public* debate between the consuls and their opponents. The consuls instead appear to be faced only with an audience ground down by decades of war. The Roman people did not have to be won over against other senators, but solely against exhaustion. It is true that the consuls had the right to ban most other speakers from their *contiones*, but it would have taken astonishing bullishness to silence the opposition's perfectly sound arguments from the Rostra, and the absence of any attested opposition is difficult to explain. Second, the one group of people who were able to intervene in a consul's assembly was the college of tribunes. Eckstein has argued that, if there really had been staunch opposition in the senate, then a tribune would have been found to veto Appius' proposal.⁴² Although the retrojection of later political maneuvers into the mid-third century is a dangerous game, there is in fact evidence from 248 that tribunes were perfectly capable of shutting down public business in this period. When the tribunes C. Fundanius Fundulus and Pullius (the rest of his name is unknown) prosecuted the disgraced consul P. Claudius Pulcher in 248, an ill omen disrupted the vote. Other tribunes then forbade the resumption of the trial "so that the same two men in the same magistracy should not prosecute the same man twice for *perduellio*."⁴³ The relevance of this episode should not be exaggerated, since the veto here still fits a tradition of protecting individuals (even a patrician, in this case). That the power of veto extended to the banning of a motion without *ad hominem* relevance cannot be assumed, but it remains true that leading senators would have been encouraged by the people's

40. Flaminius' rash arrogance is preserved at Livy 22.3.7–13, complete with defiance of omens; see also Polyb. 3.80.3–82.7. Livy stresses Varro's impetuosity in the lead-up to Cannae at 22.44.5–7, and Polybius preserves the same tradition, especially at 3.110–3. Africanus tore up his account books when accused of corruption: Livy 38.55.1; Plut. *Cat. Mai.* 15.1–2; Polyb. 23.14.8. The Popilii brought public business to a standstill because they refused to undo the harsh deportation of Ligurians, which Marcus had ordered as consul: Livy 42.8.3–9.6, 42.10.9–12.

41. Especially given that Caudex's own generation was famously arrogant: his brother Publius threw sacred chickens into the sea when they refused to give him the right auspices, and his sister openly wished that more plebeians would die in naval disasters to free up space in the city. The many sources for Publius are given at *MRR* under the consulship of 249, and Claudia's sins can be found at Bauman 1967: 27–9, with references and discussion. On the anti-Claudian bias in the sources, see still Wiseman 1979: II, Tatum 1999: 32–3, and McDougall 1992, focusing on the consul of 143 and his controversial triumph.

42. Eckstein 1980: 178; Eckstein 1987: 81.

43. *Schol. Bob.* 90 Stangl, with Bleckmann 2002: 195 and Hölkeskamp 1990: 437, and also Hölkeskamp 1990: 448 on the developing role of the tribunate more generally in this period of Rome's history.

initial hesitancy to attempt some kind of obstruction.⁴⁴ There is nonetheless no roadblock in 264. It seems therefore that, contrary to Bleckmann's reconstruction, there is little reason to believe that senators opposed consuls from powerful clans. In fact, as I will discuss later, the senators made repeated sacrifices throughout the war to ensure that peers could earn victories as consuls. The absence of opposition in the sources makes it hard to accept that the consuls won their command in the face of severe senatorial opposition.

It is thus difficult to believe that a senate majority was adamantly opposed to intervention, but this conclusion poses its own problems. The task at hand is to establish whether it is at all feasible that Rome's leaders would invite the voters to make a major decision on foreign policy, and Bleckmann's thesis has one real advantage in this area: it does not require us to believe that Rome's leaders willingly handed over the reins at such a critical moment. Eckstein has not unreasonably described this as "improbable."⁴⁵ To make the case that senators would delegate the decision to the voters, therefore, it remains necessary to establish that the senate would not have expected to monopolize decision making in this period.

For the third century, there are good reasons to believe both that the senate was less consequential than it would later become and that the popular assemblies were more central to decision making. This was only twenty-three years after the *Lex Hortensia*, which gave popular decisions binding force throughout the community. Hoyos points to the people's rejection of the first Carthaginian treaty in 241 and their defiant approval of the *Lex Flaminia* in 232 as further evidence of their autonomy—I would add their vote to ban the construction of new fleets in 253.⁴⁶ He concludes, I think rightly, that in these early days the citizens had not yet "become safely amenable to the directions of their betters."⁴⁷ Jehne has also recently argued that for this period "we should perhaps reduce our vision of the senate directing Roman politics to some occasional initiatives."⁴⁸ The senate, according to this view, only emerges as the state's rudder when diplomatic demands increase in the late third and early second centuries. Until this point, it may not have even been worth the time of former magistrates to travel from their estates for senate sessions. There seem, therefore, to be few reasons to insist on Eckstein's strong, guiding senate.

44. Moreover, it would have been a strange extension of the tribunician veto to block the people's right to decide whether to go to war, since this would only limit the sovereignty of the *populus*. On the actions of the known tribunes of this period, see Bleicken 1955: 8–9, 74–8, and Beck 2005: 89–91.

45. Eckstein 1987: 81, with Bellomo 2013: 84.

46. Hoyos 1998: 59–60, with Bleckmann 2002: 74–6. I would allow for greater senatorial involvement in the rejection of the first treaty in 241. For the ban of 253, see Zonar. 8.14 and 8.16, where the senate's determination to raise more fleets cannot be done at state expense. It is discussed later. The canonical treatment of popular power in this period remains Millar 1989 (reprinted as Millar 2002: ch. 3).

47. Hoyos 1998: 59. See also Ungern-Sternberg 2005 for the (unintended) legacy of the *Lex Hortensia*.

48. Jehne 2011: 226.

Downplaying the centrality of the senate only facilitates a tentative argument that later practices need not be assumed to apply in earlier periods. It does not, however, tell us what practices were in fact “probable” in the relative dark age of the mid-third century. Even if it can be shown that the senate *was not* a more logical decision-making body, we are still left without a positive reason for why an executive assembly of the citizens *was*. To argue that it was reasonable for the voters to assume such decision-making power, a case needs to be made that the voters must have enjoyed much greater political importance in the third century than they would in later, better-attested periods. This is where fiscal issues assume their importance.

The more the state relied on the citizens’ war taxes (*tributum*), the more voters could be expected to have enjoyed a high degree of political influence. In 264, when the Romans decided to invade Sicily, there were no provinces, no mines, and no enormous indemnities; *tributum* remained, as Rosenstein has described it, the “financial bedrock on which the Republic’s military strength rested.”⁴⁹ Later senators may have had the fiscal freedom to decide matters of war and peace without considering the taxpayers, but Appius did not. To flirt with a foreign war in 264 without winning the consent of the taxpayers would have been, at the very least, a gamble.

This was all the more so because there was a chance that intervention in Sicily would lead to a war of unprecedented cost.⁵⁰ If Polybius is right that the consuls sold the audience on promises of booty, then the bellicosity of the intervention was overt. This was no diplomatic exercise, and the potential foes were not small fry. Few if any of Rome’s earlier wars had been as expensive as the First Punic War threatened—and would turn out—to be. Even if the measure as put to the voters was limited to an alliance with Messina—and even if the preferred outcome was to avoid an outright clash of arms—every voter must have known that this risked war.⁵¹ Perhaps Syracuse alone was the expected foe, yet this would still be no trifling enterprise. The Romans could not have known that Hiero would capitulate so quickly or that he would prove to be such a profitably ally. Syracuse had demonstrated its eminent defensibility under siege. It was also traditionally a naval power. Dio stressed the ability of the Carthaginians to strike the Italian coast, and Syracuse could well have proved itself similarly threatening had it stayed in the war.⁵² Beyond the regular costs of infantry and

49. Rosenstein 2011: 136, with Rosenstein 2016a and 2016b for more detailed reconstructions of *tributum*’s importance.

50. Rich 1976: 121 on the understanding that even a constrained intervention would likely lead to war.

51. Walbank 1957: 60. Hoyos 1998: 19–20 and Eckstein 2006: 165–7 both argue that Rome’s inadequate navy is evidence that they intended to avoid war, but if this were the case, then their policy was shockingly imprudent. The absence of a major fighting fleet actually cuts both ways: it may show that Rome’s aims were peaceful, but it may also reveal just how recklessly aggressive the intervention was. Romans were willing to risk war even without the ideal preparations. According to my own reconstruction, they gambled that they would not need a fleet before the army generated the cash for one.

52. On Carthaginian raids, Zonar. 8.10, with Bleckmann 2002: 106–9.

cavalry, therefore, there was the likely need for warships and supply ships. No reconstruction of military goals can render a major war unforeseeable. Every motion to aid Messina risked unprecedented expenses, and without the sanction of the taxpayers, this would not have been a war worth starting.

The senate's willingness to cede decision-making powers to the voters has understandably perplexed historians, and several have outright rejected its veracity. Fiscal issues, however, provide good reason to accept it. The assemblies were invited to vote on the intervention because the senate could not expect to meet the foreseeable expenses without popular support. The consent of the people as taxpayers—not to mention as soldiers—was therefore inescapable. Unable to source revenues from anywhere or anyone else, senators had little choice but to acknowledge the importance of the citizens and to relinquish some of their autonomy over diplomatic and military affairs. Domestic revenues made popular consent a *sine qua non* of warfare, and in that context, allowing the people to have the policy they wanted reflected the highest prudence.

If I am right that *tributum* alone could not pay for both navy and army in these early years, then one final point can be made about the appeal to the assembly in 264. I have written elsewhere that the consuls' promise of booty would have made particular sense, given that Appius' troops were likely in the assembly.⁵³ Only about 8,400 Romans went to Sicily in Appius' two legions, so the odds that a random citizen in the voting assembly would actually find himself marauding through Sicily and sharing in the loot were slim. The promise of booty would have been most telling if the assembly were packed with soldiers who had been conscripted for the year and hence knew that they would be the ones shipping out to storm the area around Messina. In these circumstances, it was very much in the interests of the bellicose consuls to ensure that as many of their mustered troops voted as possible. Yet, the appeal to booty was still of some value to those citizens who were not about to raise their spears and don their helmets. *Tributum* was the fiscal equivalent of conscription. It ensured that those who entered the legions in any one year were not the only ones making sacrifices, since those who were passed over still had to provide money to pay those in service.⁵⁴ This meant that far more people paid *tributum* than marched off to fight the enemy. In 264, in fact, the census counted something in the order of 292,000 citizens, of whom only a meager fraction would be going to Sicily in the first year or two.⁵⁵ A much higher percentage would be expected to foot the bill. The percentage of *assidui* (those wealthy enough to pay *tributum* and serve in the main line of battle) who were not called up is unknown, but it must

53. Tan 2013.

54. Nicolet 1976: 19–26, Nicolet 1980: 155ff. See also the duality of service and *tributum* at Livy 5.10.3.

55. On the reliability of the census figure for 264, see the cautious discussion at Brunt 1971a: 32–3. No reasonable margin of error, however, would undermine my point here.

have been significantly larger than the percentage conscripted.⁵⁶ Personal booty for the soldiery would have been particularly appealing to those in the audience who had been called up that year, but lavish profits to the treasury would also minimize the long-term sacrifice of taxpayers. It may even have been bound to a promised navy: relax, Quirites, we'll sack a wealthy city and pay for the fleet that way.⁵⁷ The consuls chose their rhetoric well. It put fire in the bellies of Appius' troops, but it also assuaged the fears of the citizens who would have to pay the bills.

A TAXPAYER "REVOLT" AND A BAN ON FLEETS

So far I have argued that fiscal constraints left Rome's leaders with little choice other than to work with the citizen taxpayers. This was because there was no source of revenue that could replace *tributum*, and hence any obstinacy from the people—perhaps a refusal to pay, some dragged feet in handing over the money, or a general souring of the mood on the home front—would jeopardize the state's ability to fund its wars. This is not pure theory. Had the naval war all gone smoothly, there might have been no manifestation of the impressive bargaining power that taxation bestowed upon the people; but as things turned out, Rome's naval efforts, though beginning brightly, came to be riddled with calamities. The costs and the frustrations brought the power of the taxpayers to the fore, and they ended up banning public funding for fleets altogether. If anyone wants proof that *tributum* empowered citizens, this is it. To tell that story, however, it is necessary to begin with the fiscal burden imposed by Rome's war at sea.

Taxpayers had long funded the legions at Rome, but this must have been seen as a good investment. Rome rarely lost on the battlefield, and the conquest of Italy—led by the aristocracy and cemented by the back-breaking work of so many young men—was proof that an investment in Rome's infantry tended to earn good returns in booty, land, or geopolitical power. Naval warfare, however, was a less familiar business at Rome. Taxpayers supported the treasury in funding the first fleets of the war, but their willingness would need to be justified by results. As early as 259, concerns about taxpayer compliance may have led Duilius to return some of the *tributum* by distributing his naval booty, though the relevant line of his elogium—an inscribed celebration of his career that has only partly survived to today—is too damaged to be certain.⁵⁸ Greater financial

56. On the proportion of *assidui* to the overall citizens, see Rosenstein 2004: 185–8.

57. This would explain why the Romans, once Syracuse had made itself an ally, sought out another large, wealthy city to capture. The victim was Agrigentum.

58. Kondratieff 2004: 24–6 argues that Duilius refunded *tributum*, but demonstrating appropriate caution, he never claims it as fact. The incomplete line and the absence of any recognizable idiom for returning *tributum* render all such claims hypotheses. To my mind, Kondratieff overestimates the frequency with which *tributum* was returned to taxpayers, but this does not preclude the possibility that Duilius did just that.

strain was to come. I have already made repeated mention of the refusal to build more fleets in 253, and it is time to examine it in depth.

The Romans lost fleets throughout the war, and the losses could be incredible. In 255, they sent a fleet of at least 200 ships to North Africa. There were successes, but the return journey was met with a storm that wrecked all but 80 of their ships.⁵⁹ In the next year, they executed an astonishing plan to construct another enormous fleet in just three months, but in 253 they lost 150 of those ships in the open seas between modern Palermo and Rome.⁶⁰ Countless lives were lost, but so too was money.⁶¹ Loreto has argued that in the 250s, the war was costing as much as seven times the Middle Republic's normal expenses.⁶² The citizens had had enough. Further naval adventures were banned in some way, and yet, confusingly, another fleet was constructed in spite of this, only to be lost in 249. What, then, was this ban, and who imposed it? How is it possible that a new fleet was built just a few years after this interdiction? The evidence suggests that the ban was a popular vote and that it related specifically to a refusal to fund new fleets through taxes. If this was the case, then nothing could show more clearly how the citizens' role as taxpayers empowered them to intervene in the war's conduct.

The first step in understanding these events is to reconstruct the process of banning the navy in 253. Polybius says that "those in Rome" decided not to assemble another fleet, an expression he uses again at 3.103.1 to refer to popular intercession.⁶³ Zonaras is more explicit that the citizens (*demos*), deeming the Romans' expertise in naval warfare too slight for further campaigns, *voted* to avoid naval matters.⁶⁴ Unfortunately no source provides any clue as to the legislative process or the magistrate who promulgated the bill on which the citizens voted. Without evidence to the contrary, however, it would be rash to deny Zonaras' explicit testimony that the ban was a popular vote. Naval warfare, in any case, was not avoided for long, and this provides clues as to the substance of the legislation.

The Romans were determined in 249 to capture the Sicilian port of Lilybaeum, and for this they would need to deploy a navy. They therefore built 50 new ships, bringing the total fleet up to around 120 vessels. But how was

59. Walbank 1957: 95 gives the evidence and also examines the size of the fleet and its losses.

60. Zonar. 8.14; Polyb. 1.38.5–39.6, with the commentary of Walbank 1957.

61. Loreto 2007: 73 and app. 7.1 for finances, with p.173 on the numbing loss of men.

62. Loreto 2007: 183 and app. 7. Loreto 2007: 188–95 also argues that the naval war relied on the accumulation of booty, and that the end of major victories in the middle part of the war rendered fleets unsustainable. This is possible—statistical silence renders almost everything possible—but the ban on naval warfare suggests that the money could have been found if there had been sufficient will. Why ban something which was impossible anyway?

63. Polyb. 1.39.7. Polybius' later use of the phrase "those in Rome" clearly refers to a non-elite group, and can be checked against Livy 22.25–6, which gives a quite specific account of popular assemblies and voting under the leadership of a tribune, M. Metilius, and a candidate for the consulship, C. Terentius Varro.

64. Zonar. 8.14. See also Bleckmann 2002: 178–9.

this possible if fleets were forbidden?⁶⁵ Perhaps the small number of ships is a clue. In 251, L. Caecilius Metellus scored a battlefield victory, and if the spoils of that campaign were used to build the new warships, then this would not contravene any ban that related strictly to the use of tax revenues for shipbuilding. The odd figure of 50 ships—far fewer than the Romans usually built during the war—makes sense if the shipbuilders were limited solely to whatever treasure Metellus had delivered to the state. It may well have been legal, therefore, to spend booty on new ships, so long as citizens were not taxed in the process. The ban may even have permitted the conscription of rowers to man the new ships, since these men, from the poorest property classes and the urban tribes, were underrepresented in the voting assemblies and may not have been protected by the legislation ratified by their wealthier compatriots. Or perhaps there were volunteers from those interested in a wage.⁶⁶

This new fleet too, however, was sunk in 249, and another in the same year was lost to storm.⁶⁷ A dictator was named and Zonaras refers to consternation due to the loss of “many men and vast sums of money.”⁶⁸ The Romans decided to cede the seas to the Carthaginians—it is even possible that the voters again voted in 248 or 247 to prevent some kind of naval warfare.⁶⁹ Why legislate on this, given that a ban was approved in 253? The obvious suggestion, after the use of Metellus’ spoils, would be that this second ban forbade the spending of booty, or perhaps the employment of any public funds at all. If there was a vote, in other words, it extended legislation from banning the use of citizen taxes to banning the use of any treasury funds for further naval adventures. The Roman people would pay for no more fleets.

This is not to say, however, that all surviving ships were drydocked after 249. Despite Polybius’ claim that the Romans relinquished the sea after this calamity, some ships were clearly still in action.⁷⁰ In fact, the pattern of engagements in the 240s is revealing, and it reinforces the notion that the ban related strictly to *public funding* of fleets. In other words, the war’s leaders could have their navy if they wanted it, but they were not allowed to use the Roman people’s money to fund it. In 248, the Romans “refrained from naval war *at public expense* (*dem-osiai*) because of their misfortunes and expenses,” but nonetheless delegated their ships to privateers who would harry the Carthaginians at their own profit

65. Zonar. 8.15 claims that the new consuls were ordered to attack Africa, but events suggest otherwise: the fleet they were given was considerably smaller than earlier ones, and they seem to have focused entirely on capturing Lilybaeum (Lazenby 1996: 123). Bleckmann 2002: 182 accepts Zonaras’ version and believes in a significantly larger fleet than some others.

66. See Loreto 2007: 175–80 for “le proletarizzazione della guerra” and pp. 186–7 on the importance of booty in funding for the war.

67. Polyb. 1.49–55.

68. Zonar 8.15.

69. Bleckmann 2002: 192–3.

70. Polyb. 1.55.1–2

or loss.⁷¹ It was evidently legitimate for ships to engage the enemy, but the use of privateers demonstrates quite eloquently that taxpayers were not to be on the hook if they did so. The final campaign of the war, moreover, reveals the importance of taxation in its starkest light. By 242, it was clear that the war could not be ended without the destruction of the Carthaginian fleet. The ban on publicly funded ships, however, meant that any senators who wanted a new navy would have to pay for it themselves. They did exactly that. A call for donations was met by private individuals—alone or in groups of two or three—lending the state what it needed for at least 200 quinqueremes on condition that they be repaid in the event of victory.⁷² In 241, just five or six years after the second ban, the Romans set sail again. Once more it is clear that naval warfare itself was not forbidden, so long as someone other than the voters paid for it. The voters were interested in preventing harsh taxation in the name of a failed naval policy, and they had the power to veto this. The state's reliance on their wealth, therefore, gave them significant sway.⁷³

71. Zonar. 8.16.

72. Polyb. 1.59.6–7, with Gabrielli 2003: 157–9, as well as Walbank 1957 for yet more discussion of the number of ships. Not all have accepted that the elite would simply lend the state so much money. Thiel 1954: 303 at least ascribed a profit motive when he suggested that the loans might have been interest-bearing. Yet there is no evidence for this, and a later loan in 210 does not seem to have had any such strings attached (Livy 26.35–6, with Val. Max. 5.6.8—see also Gabrielli 2003: 158). Bleckmann 2002: 210–4 rejects Polybius' entire story: there had always been a fleet, he claims, but it was deployed by privateers; the consuls of 242 simply reclaimed it for public use and used the loot that this private war had been depositing in the treasury. There are three implicit claims here, all of which can be questioned. Were the private raids able to be redirected into a naval war effort? Were Rome's public finances capable of Bleckmann's hypothesis? Did Polybius' source, Fabius Pictor, invent the loan to the state? Polybius 1.59–67 claims that the Romans deployed 200 ships for the final battle at the Aegates Islands, which must surely imply newly built vessels in 243 or 242. Given the repeated refusal to hand warships over to the consuls, moreover, it is hardly believable that the Romans built such a costly fleet in order to hand it off to unmonitored private citizens. If these were not public ships, then there is no reason to believe that the men involved were willing or able to abandon their lucrative trade and form a harmonious navy for a political elite with such an appalling recent record—and even if they were willing to hand over their own ships, this just brings us back to the theme of voluntary donations. As for finances, Bleckmann stresses the state's inability to monopolize war making in this early period, and his point is well made. This renders it all the less likely, however, that the state, unable to prevent these dangerous raids, could demand a slice of the profits or commandeer the ships for a major naval battle. Bleckmann also points to the luring of Gallic mercenaries and other allies from the Carthaginians late in the war, making the point that this should have cost money and hence indicates a healthy treasury. This may well, however, have fallen within the budget of the consuls, especially given that Hiero was picking up much of the tab for the army's supplies. Zonaras claims that the Gauls resented the Carthaginians, and the Romans may have picked them up for a bargain; for all we know, they may have secured these disgruntled mercenaries with promises alone. There is every reason, therefore, to accept Polybius' claim that the treasury was empty. Nor is there any reason to construct a scenario in which Fabius Pictor invented the whole episode. Pictor knew of uncompensated contributions of slaves, money, and supplies in the Second Punic War (Livy 24.11.7–9, 24.18.12, 26.35.3, with Steinby 2004: 93; see also Naco del Hoyo 2011: 379–80 for the financial sacrifices of the elite in the Hannibalic War), and if he had invented a tale of patriotic sacrifice, it would have been easy to deny that the creditors demanded repayment. Instead, we find reluctant and self-interested donors bargaining to be repaid, which surely suggests that this is more than mere propaganda. These lenders are more reminiscent of the parsimonious Romans of Polybius 31.27, and Burnett 1987: 14 has suggested that a large postwar emission of coinage is numismatic evidence that the loan was indeed repaid. If a patriotic image was what Pictor wanted, then the penny-pinching donors, haggling to cover their potential losses, was a poor choice of portrait.

73. It is worth noting that the elite did not purchase their own fleet. The prows of Roman ships sunk at the Aegates Islands show—unless these were all older vessels—that the state was still financing and approving the

The evidence sadly does not address the precise mechanisms through which citizens effected change in policy. Voters could not simply propose legislation in the assemblies—that right was confined to certain magistracies—so to some extent all popular legislation was the product of elite leadership.⁷⁴ This meant that legislation could be part of the thrust and parry of aristocratic politics. The goals of a taxpayer ban, however, do not accord easily with some personal or factional feud within the elite. Legislation restricting the use of taxpayer funds clearly benefited those who paid *tributum*, and that demographic stretched well beyond the aristocracy. According to the *cui bono* principle, the obvious conclusion is that the legislation was proposed and passed because taxpayers wanted it. To deny popular agency demands a reconstruction in which some number of unbidden magistrates crafted a law for the benefit of the population as an act of charity. It might be objected that the senators were themselves taxpayers, and so no division can be drawn between voters and leaders. There is, however, a critical flaw here. Some section of the elite demonstrated through their lending that it still wanted a new fleet. There was, therefore, a factual distinction between their enthusiasm for the navy and the hostility of whichever voters refused to pay for it. Why would these elite creditors want legislation that blocked funding for their own goals? Why, moreover, would they raise the issue of legislation at all, given that they as senators were the ones deciding whether or not to build new ships? They could simply decide, in the absence of any plebiscite, that no more ships would be built. This makes it hard to believe that the leading senators engineered a vote on the war's conduct. Instead, the simplest explanation is that taxpayers publicly agitated for a specific policy, and that tribunes embraced the ethos of their office by putting the matter before the voters.⁷⁵ This was perhaps an extreme example of the tribunes playing out their role as a political “safety valve” (their *Entlastungsfunktion*), relieving potentially explosive disaffection in the community.⁷⁶ If this was the case, then citizens could agitate for change, and

contracts to build these ships, and so the elite never owned them or used them in private wars. For the evidence, see Prag 2014. One point to take from this is that elite Romans either could not build their own fleet or preferred to be paid back for building the state's fleet.

74. On the importance of the magistrate's monopoly on proposing laws, see *inter alia* Flaig 1995, 2003.

75. The legislation of 248 coincided with the prosecution of P. Claudius, which has rightly been interpreted as a case with strong elite backing (e.g., Hölkeskamp 1990: 442–8). There is every reason to believe that many senators were happy to see Claudius terrorized, and they themselves would rub salt into the wounds when crafting the tale of his infamy. This does not, however, necessitate collaboration in the ban on naval funding. Both measures were presumably popular, and the tribunes must have seen advantages with or without senatorial backing. Perhaps these tribunes saw the potential for winning over voters in preparation for later elections. Indeed, one agitating tribune of 248 almost certainly rose to the aedileship of 246 and the consulship of 243: see MRR for C. Fundanius Fundulus and Jehne 2000a: 221 for the reality that tribunes had eyes on promotion after leaving office. On the other hand, another aggressive tribune of 248 is not attested as winning any subsequent office. This, however, makes it no less plausible that he represented an identifiable will among voters. He and so many other tribunes of mediocre birth must have understood that this was the highest office they would attain, and they ran in order to be the best tribunes they could be.

76. Jehne 2000a: 222.

the fact that they played such a significant role in funding the state—the precise issue on which they were voting—must have been central to the influence they enjoyed in doing so. In this culture, with tribunes willing and able to turn discontent into law, popular power was an ever-present threat to elite control.⁷⁷

The fleet that elite creditors financed won its first battle, and Carthage sued for peace. The initial treaty demanded that the Carthaginians abandon Sicily and pay 2,200 silver talents over twenty years, but when these terms were read out at Rome, the citizens (*demos*) added the evacuation of some islands, and revised the indemnity to 3,200 talents over just ten years.⁷⁸ Not only, therefore, did the people demonstrate their influence over diplomatic affairs but they also revealed their interest in public finance. Again, there is no way to reconstruct the precise events, but the popular assemblies appear to have demanded the rewriting of a treaty in order to secure for their treasury more money as soon as possible. This should hardly surprise. The course of the war—from the initial resolution to enter Sicily, through the building of fleets, to the concluding of a peace treaty—had revealed a degree of popular control that is far more impressive than has hitherto been acknowledged, and I would argue that the recurring theme of public finance reveals why the people enjoyed so much power: the purse strings were theirs. Leaders accommodated popular judgment because no policy could be funded without citizen support anyway. The injunction after the disaster of 253—leaving aside a possible ban after 249—reveals what would happen if the elite adopted a policy that the voters refused to fund. It would grind to a halt. The control the people enjoyed is unexpected, because it is absent from the later periods of Republican history which we know so well, but this should hardly surprise us. As the fiscal circumstances changed, so did the politics, and if we want to understand how Rome changed in the course of its expansion, we need to appreciate how *tributum* empowered taxpayers and how its suspension in the second century diluted popular control of politics.

CONCLUSION

It is worth closing this chapter by exploring the political importance of public and private finances. The case of the First Punic War reveals the nature of Rome's political interactions in the absence of the wealth that would later accompany the empire. In ways that did not apply to the second and first centuries, mass and elite really were in it together. The leadership's dependence on the citizenry's financial resources bound them closer and forged a more consultative, more

77. This is not to deny that tribunes at times worked compliantly with the senate, for which see Jehne 2000a: 221–22 and Hölkeskamp 2004a: esp. 61. Any entrepreneurial tribune could don guises and change courses as he saw fit.

78. Polyb. 1.63.1–3.

deferential manner of rule than later Romans—not to mention modern Roman historians—would have expected. Only by establishing this portrait of a pre-imperial Rome is it possible to trace the later impact of expansion on politics. One effect appears likely: as *tributum* was replaced by foreign revenues—as, that is, the leadership grew capable of funding various policies without having to extract taxes from its citizens—the bargaining power of the voters declined and the manner of rule consequently grew less accommodating.

The intervention of the voting assemblies in 253 constituted something akin to a tax revolt, only it was launched by a constituency enjoying a form of sovereignty. Instead of taking up pitchforks or running a tax collector out of town, the Roman taxpayers could simply agitate for a bill to end a policy and then vote it into law. It was an oxymoronic tax revolt: a revolt by a sovereign. Nothing reveals the force of this revolt more clearly, nothing demonstrates the inviolability of the people's will more powerfully, than the elite's eventual resort to credit.⁷⁹ Voluntary contributions demonstrate that the elite saw no practical possibility of extracting the necessary funding from the tax base, and while this might lead to the simple conclusion that the people exercised significant power on those rare occasions when a magistrate mobilized them, the reality was of course more subtle than this. Popular legislation did not need to rear its head to exert pressure. The awareness that voters could end a policy if such a bill were proposed loomed over the calculations of all policymakers. Elite strategizing occurred beneath the shadow of this possibility. The Roman people were given the final say in whether to invade Sicily, for example, not because they rose up and demanded it, but because the senate understood that the soldiers and taxpayers could undermine any decision made in a vacuum. Thus, the *potential* power of the people bestowed *actual* power. The threat of action in the future changed the bargaining game in the present, meaning that relatively simple features of structure—that is, who funds the treasury—entailed subtle yet highly significant changes in practice. The autonomy of elite leaders, therefore, was far from total. Knowing full well that they were not operating in isolation, they shaped their conduct around the potential bargaining power of the people.

But could senators not simply bend the people to their will? A similar refusal to fight in 200 was met by a swift rallying of the hawkish elite and the retreat of the electorate.⁸⁰ Determined to wage war in Macedonia, the senate chastised a dovish tribune and sent the consul to convince the voters that they should

79. Loreto 2007: 190–1.

80. Livy 31.6.7. Flaig 2003: ch. 9, esp. 181–3, has argued that the assembly in 200 reflects its role as a consensus organ, in which leaders bring the voters in line. The assembly of 253, however, seems to reveal a far more empowered citizenry, capable of asserting itself and refusing to follow the wishes of the elite's hawks. The voters of 253 have more in common with the voters in 200, as portrayed in Feig Vishnia 1998. This assembly comprised creditors from the last war who were financially worn out and refused to sanction further wars until their sacrifices had been repaid.

overturn their own decision, which they promptly did. In 253, however, there was no such performance. One obvious difference is that the leadership in 253 was stigmatized by its recent failure, whereas the leadership in 200 had just steered the Romans through the seemingly impossible challenge of Hannibal's invasion. Their respective moral authority was no doubt a factor. The role of state revenues, however, must also have been crucial. Popular consent was a more delicate matter in the First Punic War because the cost of the lost fleets was immense, and there were no major foreign revenues—there were, for example, no Spanish mines or Carthaginian indemnities to substitute for citizen taxes. It was impossible to continue such an expensive endeavor in 253 without an overwhelming reliance upon *tributum*, and although the consuls may have been able to bully the voters into overturning the naval ban, this would be useless if taxpayers dragged their feet and failed to supply enough money to rebuild ships. The centrality of their resources gave the taxpayers bargaining power, and the elite could not easily escape this reality.

On the other hand, there were various complicating factors that limited the sovereignty of the people. Any regime's reliance on a tax base can, as has been well studied for the early modern period, be mitigated by the availability of affordable credit.⁸¹ In the case of the First Punic War, the existing tax base was unwilling to supply the revenue necessary to build the ships that ended the conflict, and so the state resorted to borrowing to fund its final navy. This was anomalous in Roman history—the Second Punic War, as we will see, is the only other time when the Republic is attested as a debtor.⁸² Unlike modern statesmen, however, who have recourse to capital from financial markets, Rome's political leaders enjoyed no existing mechanism for such borrowing, and so they turned to the greatest accumulation of wealth they could find: their own. Rome's timocratic and aristocratic political system meant that the policymakers were also the wealthiest members of the community. No doubt there were numerous creditors who were not active in political leadership, but the prominence of senators among the moneylenders erased the issues of trust and bargaining that usually accompany state borrowing. Lending to an absolutist monarch, for example, is risky business. He or she can simply refuse to pay, or can arbitrarily rewrite the terms of the transaction.⁸³ In the Roman case, however, the policymakers were themselves among the creditors. They thus had

81. See most notably North & Weingast 1989 (my thanks to Josiah Ober for bringing this article to my attention) and Tilly 1990: esp. 85–6.

82. Loreto 2007: 183–5 draws upon Plin. *HN* 33.13.44 in arguing that bronze was devalued during the war to erase public debts, but this seems unlikely. The entire passage of Pliny is riddled with problems (see Zehnacker 1979, Crawford 1974: 35–9, Burnett 1987: 10–1, and Burnett 2012: 298–9), and the numismatic evidence shows that the libral standard survived to the Second Punic War (Crawford 1974: 43). Crawford 1985: 31n9 dismisses the passage with exasperation: “we should actually be much better off if this wretched text did not exist.”

83. The classic account is of the Stuarts in North & Weingast 1989.

every incentive to ensure that the state honored its debts. The intersection of wealth and political power within the one group of rulers meant that the state could bypass the taxpayers if absolutely necessary, and that happened in both the First and Second Punic Wars. The taxpayers could not be forced to pay, but their interdiction on policy could be circumvented if the leaders chose to mobilize their enormous advantage in capital. If aristocratic leaders were absolutely fixated on a goal, then they had the capital to pay the bills independent of the state. They would only do so, of course, if their determination to win a war far outstripped that of reticent voters. Part I of this book examined how the elite channeled wealth away from the state and into private coffers, and this instance sheds some light on why. Personal wealth bestowed an autonomy on the elite that freed its members from total reliance on the state, its voters, and the complicated rule governing the use of its treasury.

In offering their own wealth, many of Rome's leaders displayed the sort of extraordinary militancy that became a hallmark of Rome's expansion. After the disaster of 249, a man was reputedly killed for suggesting in the senate that peace negotiations begin, and by 243, the elite, despite a shocking record of failure at sea, was willing to front the resources for yet another fleet.⁸⁴ After more than twenty years of war, after a series of calamities, there was still fire in the belly. Elite determination, moreover, was built on elite solidarity. Bleckmann's stimulating thesis—that consuls waged annual campaigns for their own renown without the overarching control of the senate—has added a great deal to our understanding of the First Punic War and of this whole historical period.⁸⁵ Fiscality, however, reveals how consular ambitions and autonomy existed within specific financial constraints and still relied on peer support. On the one hand, the consuls and the senate were both limited in how much they could bleed the domestic economy. A foreign war and a record of incompetent leadership saw the *populus* put its collective foot down during the First Punic War. On the other hand, the determination to fight and even to fund one last fleet on its own reveals an elite more tightly unified than Bleckmann tends to envisage.

The most meager account of the war will tell that C. Lutatius Catulus won the Battle of the Aegates Islands, but it was the other unnamed senators who were willing to risk their private property to provide him with his fleet. It is unlikely that he went out of his way to thank them. We have the honorary inscription of C. Duilius, who was the first consul to win a victory over the Carthaginians at sea and who, along with Catulus, bookends the naval history of the war. It lists his conquests and boasts of the 3,700 gold coins and 200,000 to 300,000 silver coins he captured.⁸⁶ Unsurprisingly, it does not thank all those sailors

84. Zonar. 8.15.

85. Bleckmann 2002.

86. *ILLRP* 319.

and taxpayers who made his victories possible, and even those who had paid for entire quinqueremes would not have expected a mention at Catulus' funeral. Yet they still paid. The collective sacrifice and the shared will to conquer speak of a leadership that, although competitive for personal glory, was certainly pulling in the direction of a single Roman goal. That drive would be indispensable during the Second Punic War.

The Plight of Taxpayers in the Second Punic War

In the middle of the Second Punic War (or Hannibalic War), when senators were trying to find a way to man the Roman fleet, they called for donations of slaves with pay and rations to serve as rowers. These were merely the most recent in a series of extraordinary requisitions, and they provoked protests. People complained that they had been:

exhausted by *tributum* through so many years, that nothing remained beyond land lying naked and laid waste. The enemy had torched houses, the state had taken away agricultural slaves, sometimes bought as soldiers for a low price, sometimes ordered to serve as rowers. If anyone had silver or gold, it had been taken away as pay for rowers or as annual *tributum*. They themselves could be compelled neither by order nor by force to give what they did not possess. Coming together in a great crowd they wailed not in private but openly in the Forum, before the eyes of the consuls themselves. And the consuls, at first castigating them and then consoling them, could not pacify them.¹

In a telling synopsis of the political situation, Livy claims that all the fuel was present for a major conflagration, but a leader was not found to set it alight.² The demands of the Second Punic War made those of the First seem trifling. Having seen Hannibal run rings around them over the first three years of the war (218–16), the Romans more or less avoided battle with him over the course of the next fourteen, preferring to smother their foes with multiple armies on multiple fronts. They fought on sea and land from the Adriatic in the east to Spain in the west. The strategy worked, but it required astonishing feats of conscription and crippling exactions of money. The fiscal pain did not escape Livy. The senators:

pondered what great forces on land and sea they were sustaining, and what great new fleet must soon be prepared, should a Macedonian War begin; that Sicily and Sardinia, which had previously been tributary,

1. Livy 26.35.4–7.

2. Livy 25.35.4

were hardly feeding the armies garrisoning those provinces; that costs were funded only by *tributum*; that the number of those who paid that *tributum* had been diminished by such great slaughters of armies both at Lake Trasimene and at Cannae; that if the few who survived should be burdened by further tax they would simply be perishing [not by the sword but] by another cause.³

The course of the war reduced revenues just as it demanded greater expenses, so that new campaigns were being perched atop an ever-diminishing foundation. Little wonder that the people protested against further exactions in 210. It is true that popular resolve hardened in the face of the existential threat posed by Hannibal and that sacrifices continued to be made, but the demands of the war from 216 to 210 were extreme. Livy is no doubt correct when he writes that there was sufficient animosity for a leader to agitate for a change in course. None, however, arose. There would be no popular hijacking of strategy—as there had been when publicly funded fleets were banned in the First Punic War—and the leadership of the senate survived this sternest of tests unscathed.

The First Punic War revealed a politics that bound leaders and citizens closely and dependently thanks to the unavailability of taxation, and the same could be said of the Second Punic War. If the leaders were to fund their plans, they would have to persuade the citizens that those plans justified the levying of *tributum*, and if the citizens were not persuaded, they could disrupt policy. As I argued in the last chapter, however, this could be quite a subtle dynamic. It did not lie dormant waiting for some explosive episode, as if it only affected politics when the people rose up or approved legislation redirecting the course of the war. It shaped calculations. Leaders made decisions in light of this potential power. Citizens, moreover, had to consider the consequences of their interventions. The Second Punic War earns a place in this study because it reveals the give and take of these calculations. Once the full weight of the war's fiscal demands is clear, it becomes undeniable that taxation must have been a political issue, yet there was no great eruption and no legislative battle over how the war would be fought. Through skillful management—and a healthy dose of good fortune—the leadership could keep control of the war despite imposing the harshest of burdens on an already exhausted population. If the First Punic War showed what it took for the popular assemblies to seize control of a policy, the Second Punic War showed what it took for the elite to maintain its dominance: an acknowledged crisis, a good degree of political skill and—not least—the timely infusion of outside wealth. The great struggle with Hannibal, therefore, reinforces the notion that fiscal issues exerted a real pressure on Roman politics, but it demonstrates how that pressure elicited maneuvering,

3. Livy 23.48.6–8.

tactical retreats, and outright offensives. There was nothing schematic about fiscal politics. Taxation enhanced the bargaining power of citizens, but this did not determine the outcome of political battles; it merely calibrated the bargaining positions and allowed both sides to proceed as each saw fit. As things turned out, Rome's leaders played their cards deftly, and despite imposing extraordinary demands on the citizens, they emerged from the war's most dire years with their supremacy enhanced.

How exactly did leaders manage to navigate these perilous fiscal straits? How much strain did the treasury endure? Just how extreme were the demands being imposed on the citizenry? Did the economic sacrifices of the population threaten to undermine political solidarity, or did the military situation override any sense of personal grievance? The first three years of the war contain numerous examples of voters affecting policy, but the catastrophe at Cannae in 216 largely put an end to this. For the next five years, decisions were overwhelmingly made without voter input. The specter of Hannibal compelled the majority of Romans to fall in line before some degree of popular involvement returned in 211 and in 210. In this chapter—beginning with the state of politics in 218 and ending with the influx of booty between 212 and 209—I will explore the ways in which fiscal issues affected the waxing and waning of popular politics.

This is no simple task. The evidence is frequently scant and memory of the war lent itself to moralizing and idealizing on the part of those later authors who, writing in a context of civil strife, marveled that their ancestors could have survived such tests without abandoning each other. The results, however, demonstrate how resolutely the Romans faced the Carthaginian threat, how great were the sacrifices made by the population, and how deftly the senate managed the potential rebellion of a ragged, overtaxed citizenry. The chapter begins with an examination of the fiscal trials experienced by the Roman people in the first half of the war, before developing an argument that these ordeals had a real—if well-contained—effect on politics.

THE FISCAL IMPOSSIBILITY OF THE SECOND PUNIC WAR

To develop a sense of just how much political pressure was building in these dark years—that is, to gauge how salient fiscal issues were—it is worth examining the sacrifices made by the Roman population during this incredible war.

In the years following the disastrous battle of Cannae in 216, a perfect fiscal storm was brewing. Frank's estimates of the Roman budget probably overestimate the state's revenues during the war, yet still he found that "the proceeds were far from sufficient."⁴ Marchetti estimates that revenues covered less than

4. Frank 1933: 79.

half of the war's cost in 214, and the situation did not improve in a hurry.⁵ The total revenues and expenditure are probably impossible to reconstruct with accuracy, but one thing simply must have been true: the strain placed on the Roman tax base was unsustainable.

This was in part because costs were rising. Rome fielded thirteen legions in 216, but by 212, that number had all but doubled to twenty-five.⁶ Food was needed for the soldiers, but Hannibal's early triumphs had left Rome's war machine isolated, hungry, and underresourced. Former breadbaskets in southern Italy, Sicily, and Sardinia were lost or ablaze, and this only deepened the state's obligations as it was forced to source food from elsewhere.⁷ At the same time, however, the tax base was shrinking. One problem with the Roman tax structure lay in the way it apportioned the tax burden. Only citizens paid *tributum*, only adult males were citizens, and only those above a certain property qualification were eligible to pay *tributum* and serve as heavy infantry. Since, however, the purpose of *tributum* was to pay the troops, those who were under arms did not have to pay it.⁸ Livy understood that serving in the legions and paying *tributum* were two separate sides of the same coin, since those who were called up to the legions engaged in the former and the rest of the eligible population engaged in the latter. In crafting an account of the year 401 BCE, for example, at the very dawn of paid military service, he has tribunes warning the people that *tributum* was part of a great aristocratic conspiracy: "military pay was instituted . . . in order that [the patricians] might destroy one part of the *plebs* through military service and the other through *tributum*."⁹ This fiscal pincer—assaulting the population with conscription on the one side and taxation on the other—meant that all citizens contributed to the war effort through either their bodies or their wealth. If they were mustered, they fought; if they remained at home, they paid the wages of the troops via *tributum*. They did not, however, do both in the same year. As a result, the operational necessity to enlist troops resulted in a decreased number of taxpayers. And then there were casualties. Hannibal had killed off a large number of those eligible to pay *tributum*, further constricting the tax base.¹⁰ In other words, the war effort was demanding greater and greater revenues from fewer and fewer payers. Deficits were unavoidable.

5. Marchetti 1978: ch. 2.2. See also Kay 2014: 15–6.

6. Brunt 1971a: 645–57, with Rich 1983: 292.

7. Erdkamp 1998: 166–71 and Erdkamp 2000: 59–60 for Rome's reliance on local grain in this period, though he does ascribe a significant role to Sardinian supplies. See also Roth 1999: 231–2 and Soraci 2003: 310–1. As Frank 1933: 80 pointed out, Syracuse was not part of the Roman province of Sicily until after its capture in the war, and so the province's contribution in the third century must have been lighter than in the time of the Verrines. Access to the breadbaskets of southern Italy ebbed and flowed, for which see Fronda 2010.

8. Nicolet 1980: 155, Rosenstein 2016b: 84.

9. Livy 5.10.3.9.

10. It is clear that a property fell out of the tax base if it was not owned by an adult male citizen. Not only was there no way to register it in the census—the censors did not record the wealth of women and children—a quick examination of revenues paid by women and orphans shows that their estates were considered separate

To appreciate fully why this fiscal situation could not go on, it is worth examining the problem from the perspective of the farmers who paid the bulk of *tributum*. The first task of every farmer was to guarantee subsistence. The war took young men off the farms and put them into the legions, but Rosenstein has shown that this need not have crippled the self-sufficiency of the farms.¹¹ He sets out three imaginary families, the simplest of which has a father aged fifty, a mother aged forty, and two sons aged twenty and fifteen, as well as a daughter aged ten. This family would have required something in the order of 4.6 to 5.3 million calories per year just to stay alive. If they ate only wheat, which of course they would not have done, this would have translated to between 1,384 and 1,591 kilograms of grain, which—at a pessimistic 1:3 seed ratio and a sowing rate of five modii per iugerum—would have required 20.8–23.9 iugera of land. Working that land would require no more than 466 man-days of labor per year, yet in an “average” year the family would have marshaled more than 1,189 man-days of labor. Rosenstein’s work is far more complete than this simple version would suggest, and for the sake of clarity I have reported only the simplest of his imaginary families. The lesson, however, remains relevant: the conscription of a productive son—two sons, in fact, might have served in the Hannibalic War¹²—would not destroy the viability of the family. Even the addition of oxen, a vegetable garden, an olive grove, and some vines do not alter that reality.

During the Second Punic War, however, subsistence was not the only goal. With the war machine so thirsty for treasure, the state needed taxpaying families to produce at least subsistence plus whatever level of *tributum* was required by the state. Any family that could not produce enough to cover both demands would either starve itself or leave a black hole in the fisc. To illustrate this more complicated dilemma, and to elucidate the problematic incentives entailed by it, consider two different scenarios.

Romans divided adult males into *iuniores* and *seniores*, or those either side of forty-five years of age. Rosenstein’s is a “*senior* patriarch” family (i.e., with a father over 45), in which the patriarch had served his ten years in the army before marrying and having children at around thirty years of age. At fifty, he was unlikely to take up arms again and was thus at home farming while his sons fought in the legions. This left an ideal fiscal situation in which the family contributed money through the father and military service through the sons. Not all families were so stable, however. Take the “*iunior* patriarch” family, in which the eldest male was under forty-five. This would be the case whenever a

from those of men. A measure of 214 saw the state seize the estates of women and orphans to help provide funds, and this strongly suggests that these lands would not otherwise have contributed to the treasury (see note 39, this chapter). Nicolet 1980: 162 also points out that women and children were responsible for defraying some expenses of the cavalry, and this would make little sense if they were also funding infantry.

11. Rosenstein 2004: ch. 3.

12. Livy 22.57.9, 25.5.7–8.

father died early, since it would leave a son of military age as patriarch of the family and hence responsible for *tributum*. Imagine, for example, that the fifty-year-old male in Rosenstein's model suddenly died and left his twenty-year-old son as heir. As a young man who controlled his own patrimony, the new patriarch was bound to contribute to the war either militarily, if he joined the ranks, or financially, if he stayed home working his farm. Alternatively, the patriarch might simply be young; he might have had the first of his children at seventeen and at the moment of analysis was just thirty-seven years old.¹³ Still in his thirties, this younger father was eligible to fight in an emergency and was presumably more than able to do so if called upon—or if he volunteered. It is admittedly true that those past their early thirties were not the focus of the levy, but these were exceptional times and, as I will argue, there were financial incentives to volunteer.¹⁴

This is no place to speculate on the emotional reasons for reenlisting in the army against Hannibal, nor is it clear just how much pressure was directed at veterans to return to the standards in the dark days after Cannae. Central to this chapter, however, is an economic incentive for *iuniores* fathers to leave their farms and join their sons in the army so as not to pay *tributum*. Since those who enlisted were exempt from taxation, it was possible to escape it by enlisting in the army, and this produces some problematic incentives. Because *tributum* was a tax on overall property instead of production, it did not ease up on a family whose labor shortage forced a smaller harvest.¹⁵ Once military enrollments had reduced the farm below a certain level of productivity, the fixed demands of a property tax would break the undermanned household, and one response was for the father to join the army, since he was not expected to pay *tributum* when under arms. His wife and children could then farm for their own economic needs without having to produce a further surplus for the fisc.

Before exploring this problem in depth, I should be clear on one point. I am not claiming that the enrollment of two generations of a family's males was the norm—in fact, as I said, the most obvious reason for the conscription of

13. The scant evidence suggests that this would not have been the norm, but would not have been unheard of. For the data and lack thereof, see Rosenstein 2004: 83–5, with Develin 1979: 55–7 on generation gaps in elite families, Saller 1994: 25–41 for the imperial period, and Erdkamp 2007a: 161–2 on the absence of good data outside Egypt.

14. Rosenstein 2004: 84–8 makes the strong case that men over thirty-five were not usually enrolled to fight—see Livy 22.11.9, for example, where freedmen up to the age of thirty-five were enrolled in the navy if they were parents. The Second Punic War would have stretched that hesitancy to its limit, however, and there is no reason to think that a veteran would be knocked back if willing to serve. Most of those who served as consuls and praetors in the years after 216 had led armies before, and there is evidence to suggest that commanders would ask their former soldiers to reenlist (see the example of Ti. Gracchus at Livy 42.34.10). The legions were enrolling young men at a furious rate—witness the enlisting of 6,000 convicts at Livy 23.14.2–4 and Val. Max. 7.6.1—but rates of conscription are hotly debated: see Lo Cascio 2001b: 121–37, Scheidel 2004: esp. 5–6. The history of the debate can also be traced at Rosenstein 2008 (concentrating on Brunt 1971a), Scheidel 2008, Launaro 2011: ch. 2, and De Ligt 2012: esp. 1–10.

15. For reconstructions of the scale of *tributum*, see Rosenstein 2016b and Taylor 2017.

a patriarch is that, although in his twenties, his own father's premature death had left him by default as the eldest male. Instead, this is a heuristic example designed to explore a range of demands that taxation placed on the treasury and on different family structures. The results for the “*senior* patriarch” and “*junior* patriarch” families are quite different and reveal some surprising winners and losers.

Consider the tax obligation of the “old father” family and the financial incentives to join the army become clear. At fifty years old, the patriarch was unlikely to be conscripted. Instead, he played the civic role of the *senior*, a citizen beyond the conscription age of seventeen to forty-five and who contributed to the war effort economically through *tributum*. His two sons, however, were in the legions, or perhaps had already died on the battlefield, and so he lacked their labor input. For Rosenstein, this did not matter all that much, since the goal of his study was simply to establish a baseline of viable subsistence. For heuristic reasons, therefore, he assumed that the family owned exactly the 21–24 iugera of land it needed to produce its own food requirements, and in this case, the remaining members of the family still had enough labor to work the land at close to its fullest capacity. But imagine that they owned more land, which in a timocratic system must have been the case for many *assidui*—these were, after all, the relatively well-off farmers, and if “above average” were not above subsistence, then the majority of citizens would have been starving. Rosenstein's subsistence farmers did not see production drop by much because the labor potential of the parents and daughter outstripped the limited productive capacity of their small plots of land. Maintaining wheat and legumes, a garden, and the pasture for two oxen, for example, the enterprise would have required around 582 man-days of labor; yet despite the absence of two sons, the remaining father, mother, and young daughter should have been able to marshal 638 to 704 man-days per year.¹⁶ Even with fewer hands on deck, therefore, they still had enough labor to work their farm at close to capacity, easily covering subsistence plus *tributum*. Families that owned more land than required for subsistence, however, would not have had so much labor to spare. If the family had owned a larger farm requiring twice the labor of Rosenstein's 21 to 24 iugera plot, then their 700 man-days would have forced them to abandon around 40 percent of their operation. Servile labor no doubt covered part of this shortfall, but even this labor was lost in 214 and 210, when the state requisitioned slaves to man the fleet.¹⁷

16. Rosenstein 2004: 71.

17. Livy 24.11.7–8, 26.35.2–10. See later for longer discussion. Rosenstein 2008: 24–6 argues that the availability of poor citizens and slaves must have meant that few landowners lost large numbers of slaves. In this he is certainly correct. He does, however, concede that the protests of 210 reveal that landowners “could not spare the slaves they had left.” This is perhaps the most important point. Roman estate owners were apparently working their labor force at capacity in 210, and presumably many could have produced more if more labor had been available.

This was not such a problem for subsistence, since the required number of calories was lessened when the two sons and the slaves departed.¹⁸ Within the context of Roman taxation, however, it was a catastrophe. *Tributum* was a tax on property, not on production. Since the acreage of his farm had not been reduced, the father was required to contribute the same amount as he had when his slaves and two sons were available. The burden of *tributum*, therefore, did not decrease as the available labor declined. Lacking sons and slaves, what choice did this father have but to work less land and reduce his yields? Yet, at the same time, although he was only deriving income from 60 percent of his land, he was paying *tributum* on the full 100 percent of his property. The senate's demand for double *tributum* in 215 must have been a disaster, since it came just as many fathers' incomes dropped owing to enlisted or deceased labor. Assuming a rate of *tributum* around 0.003 percent of property in normal years, the doubling of *tributum* in 215 and the abandonment of 40 percent of one's land would have meant that the *tributum* as a reflection of that year's production more or less tripled to 0.01 percent of overall property.¹⁹ The *senior* patriarch could not easily escape this bind, since the army was probably not so eager to return a fifty-year-old to the standards. Still fit and eligible to bear arms, however, the young patriarch could reenlist, and his decision to earn *stipendium* and escape *tributum* would have been perfectly rational.

So what happened if the *iunior* patriarch did reenlist? Rosenstein has already asked whether the remaining mother and daughter could remain self-sufficient, to which the answer seems for the most part to have been yes.²⁰ The only avenue open to the two females would have been to reduce drastically the acreage being farmed, since now they only had to feed (and could only call upon the labor of) a mother and a young daughter. Their annual caloric needs could be met by farming just seven or eight iugera of land, which would require between 136.5 and 156 man-days of labor. Throw in a garden, an orchard, and a pasture for an ox, and the pair needed to find 226.5 to 246.5 man-days of labor per year between them. This should have been achievable. So long as the weather was not ruinous, the mother was fit, and the daughter contributed some labor, the pair could limit the amount of land they worked and keep their heads above water. And because the father was back in the army, and hence not eligible to pay *tributum*, taxation was not a concern. No longer would they have to pay the old tax on property they had paid when working the farm at maximum output. It made perfect sense in this context for the patriarch to join the ranks.

18. In addition to Rosenstein's already cited work, see Erdkamp 1998: 266–7.

19. 0.003% takes a middle road through the possibilities offered by Rosenstein 2016b with the support of Taylor 2017.

20. Rosenstein 2004: 95–100.

The enlistment of the father may well have solved the family's financial problems, but it left the Republic in a quandary. The fiscal ramifications of his military service are clear. Each man who joined the legions required pay, increasing the state's expenses.²¹ This would obviously have made meeting the costs of the war more difficult, but if that soldier had been paying *tributum*, then his enlistment was a double fiscal blow: it added one citizen drawing pay and removed one who contributed to revenue. The usual state of affairs among the assidui relied on a balance between those who were being paid to serve in the legions and those who were footing the bill through *tributum*. This was usually guaranteed by the preferred conscription of younger men who were not yet masters of their own estates, but if battlefield casualties siphoned patriarchs from the tax base and put them into the legions as replacements, then not only would increasing expenses overwhelm the decreasing revenues but the remaining taxpayers would be crushed by the ballooning burden. This might explain, if any additional rationale were needed, why the Romans lowered the age and property requirements for infantry service in 212 or 211: the enlistment of relatively poor men and underage boys allowed those wealthier citizens who paid *tributum* to leave the legions and return to their farms.²²

The statistics for a proper cliometric proof of this reconstruction are unfortunately nowhere to be found, and the *iunior* and *senior* scenarios can only remain hypotheticals. In reality, there were of course countless permutations based on the individuals involved and the vagaries of agriculture and economics. The two scenarios do, however, reveal the bind in which Rome's treasury and taxpayers found themselves. Both the battlefield and the tax base needed more men, but this was a zero-sum game: as the former drew in more soldiers to meet operational demands, the latter lost contributors. The fiscal system could not survive the army's conversion of taxpayers into troops. Two unsustainable options presented themselves. Either the state would keep taxpayers on the land or they would enlist men and place an unreasonable burden on the diminished number of those who remained at home to pay *tributum*. Neither was palatable. A survey of politics down to 210 suggests that for several years the citizenry patiently tolerated the harshest of fiscal demands, but that the pressure eventually threatened to shatter such quietude. Only sensitive leadership on the part of the senate and a series of fortuitously timed victories prevented the eruption of discontent.

Having established the scale of the tax burden, it is time to examine the response of the taxpayers. If ever there was a period in which the leaders depended on the citizens' willingness to pay *tributum*—and hence a period in

21. Naco del Hoyo 2003: 204–5.

22. See Cagniart 2007: 81 and De Ligt 2012: 154–5.

which the bargaining power of the people ought to have been at its highest—this was it. How did such circumstances play themselves out?

POPULAR POWER BEFORE CANNAE (241–16)

Rome entered the Second Punic War confident and brash. With the intention of bringing the war to the Carthaginians, the plan was to send one consul to Africa and one to Spain, but Hannibal's march to Italy tore this strategy to pieces. In 218, the Romans engaged him in numerous skirmishes and one set-piece battle at the Trebia. He crushed them, yet the confidence of the Roman people remained unshaken nonetheless. They were eager to recommence battle, and their assertiveness is unmistakable. Legions pursued him south, but he lured them into an even more dire defeat at Trasimene, where according to Livy fifteen thousand died, and this was followed by the further loss of four thousand cavalry captured by Hannibal in Umbria.²³ Despite it all, a great many still agitated for another battle.²⁴ The result would be slaughter at Cannae in 216.

The Roman citizens who faced Hannibal's invasion had demonstrated such stridency before. In order to work out what kind of citizenry met Hannibal and endured the incredible trials he unleashed, it is important to sketch the political background to the war and to establish how the citizens expected public business to be transacted. Our knowledge of politics in the years between the first two Punic Wars is abysmal, yet a couple of incidents give hints of voters who expected to make their political views known, to support leaders whose views they shared, and to accept the resulting antagonism of the political establishment. They expected, in other words, to behave as their fathers had done when banning fleets in the First Punic War. That expectation would be at the forefront of politics in the first three years of the war. It needs to be appreciated before the politics of the conflict's middle years can be unpacked.²⁵

Far from vanishing when the Carthaginians accepted peace in 241, the assertiveness of the citizens in the First Punic War would be a feature of Rome's politics down to the disastrous Battle of Cannae in 216. This should come as no surprise; there were few changes in Rome's political structure during this period and hence there was little reason to expect new practices. The Carthaginian indemnity after 241 was valuable, and the creation of the first province in Sicily was a watershed, but neither changed the nature of citizenship nor revolutionized the economic framework of Roman politics. If, as I argued in chapter 4, the *tributum* paid by citizens in the First Punic War bestowed upon the assemblies

23. Livy 22.7.2, 8.1.

24. Livy esp. 22.25, 22.34.

25. The classic examination of popular power in this period remains Millar 1989 (Millar 2002a: ch. 3). Oebel 1993: 126 is right to ask whether better sources for leaders like M. Curius Dentatus would show that Flaminius' career was much less unprecedented than it currently appears.

a high degree of political influence, then that influence ought to have endured until the end of the third century.

This is, in fact, what the evidence suggests. At some point in the interwar period, for example, a plebeian named M. Rutilius led an attack (*seditio*) on the senators so violent that the conscript fathers had to seek refuge on the Capitoline.²⁶ Better attested is a vote of 232 that dismissed some degree of distinguished opposition and supported C. Flaminius' proposal to grant individual recipients much of the recently conquered land around modern Rimini (the *Ager Gallicus*).²⁷ That the policy provoked war with the territory's previous Gallic occupants—something that Fabius Pictor seems to have claimed as a contemporary and that Polybius accepted nearly a century later—cannot have been entirely unforeseen at Rome.²⁸ Yet, the voters understood the risks and accepted them nonetheless. They wanted agrarian policy, and they were willing to antagonize both senators and Gauls to gain it. Moreover, Flaminius himself understood the risks and rewards. He proposed the legislation in the face of significant hostility—the totality of the enmity is difficult to gauge—but much to the chagrin of his opponents, the citizens rewarded him with a positive vote.²⁹ And it did not end there. Although he earned a reputation as the *bête noire* of the senatorial establishment, and although his rivals managed to deprive him of some honors and slander him in later histories, he rode his popularity to a praetorship, a censorship, and two consulships.³⁰ Whether such votes were part of

26. Livy *fr.* 12a, with Mommsen 1870 and Ungern-Sternberg 2005: 314–5. The cause of the uproar was that a patrician had taken Rutilius' wife in what was deemed a new and unacceptable form of marriage, but the whole episode is frustratingly opaque.

27. Sources can be found in *MRR*, as well as at Feig Vishnia 1996: 26–9 and Roselaar 2010: 315, with Wild 1994: *passim* for Flaminius' entire career.

28. Polyb. 2.21.7–9. The law's role in provoking the war is accepted at Bleicken 1955: 29 (who also ascribes the view to Pictor), Beck 2005: 252, Roselaar 2010: 57, and Eckstein 2012, though see Eckstein 2012: 210n20 for a more skeptical bibliography.

29. The opposition of the establishment is stressed *inter alia* at Val. Max. 5.4.5—where Flaminius' own father opposes him—and at Cic. *Sen.* 4.11 and *Inv. rhet.* 2.5. Feig Vishnia 1996: 46–7 and Beck 2005: 243–68 provide the most sustained cases for dismissing the idea of a battle between people and senate. There was, however, clearly antagonism, and much of it may have been generated by the law's allowing the colonists to retain Roman citizenship while living so far abroad (Fraccaro 1919, Ungern-Sternberg 2005: 317). Virittane distributions, moreover, seem to have been inherently more popular than colonies, which came with their predetermined hierarchies and controls: Livy 6.21.4 has virittane settlements in the *Ager Pomptinus* as a way of winning the plebs for an upcoming war; the *Ager Latinus* and *Ager Falernus* were parceled out in the strife-strewn days of 340 (Livy 8.11.13), perhaps conciliation after a recent mutiny; M'. Curius Dentatus, well-known champion of plebeian interests, distributed Sabine land *virittim* (sources and discussion at *RE* s.v. Curius 9 and Roselaar 2010: 312). Greater popularity may also explain why virittane distributions tended to involve such small plots (Roselaar 2010: 55), since people were willing to receive less land if it came with so few strings attached. Roselaar 2010: 57 also stresses that virittane distributions tended to lack the easily defended citadel of a colony, and hence tended to be in safe areas not far from Rome, though Flaminius' distribution of the *Ager Gallicus* is an obvious exception to this pattern. This does not seem to have detracted from the popularity of Flaminius' proposal. Oebel 1993: 126–7 shows that Romans already occupied the more defensible highland areas of the Apennines, and their success over the decades might have gradually eased concerns about settling the plains.

30. On his popularity, Bleicken 1955: 30–1, Rosenstein 2013: 320, and Spielvogel 2004: 386–7. For the crafting of his memory by his opponents, Beck 2005: esp. 245–6.

an entrenched enmity between senate and people is beside the point; voters were a necessary part of these events, and even at the absolute minimum the course of the *Lex Flaminia* demonstrated the finality of the assemblies' resolutions. The tradition, however, insists that there was more than that. An obstinate and assertive people rendered Flaminius' opponents powerless.

Nor was Flaminius done. In 223, he and his consular colleague had the voting assembly approve his triumphs through the city when the senate denied them as much.³¹ In 218, he was reputedly the only senator to support a tribune's bill limiting senators' engagement in commerce. This *Lex Claudia* forbade senators and their sons from owning vessels with a capacity of over 300 amphorae. Such regulation obviously defied the potential economic interests of the senators themselves—including Flaminius, it must be remembered—and it was remembered as a reform vehemently opposed by the political establishment. Livy describes the law as one "which a tribune of the *plebs*, Q. Claudius, carried against the senate and with C. Flaminius alone of the senators in support."³² At the moment when Hannibal entered Italy, therefore, Roman politics was no tyranny of the aristocracy. Ordinary men—voters, taxpayers, legionaries, or oratorical audience members—enjoyed a power that, though not deployed frequently, was well tested and was understood by all to lurk just beneath the surface of politics.

Such popular politics was rekindled in the early years of the war. The unexpected threat of an enemy army on Italian soil lent a new urgency to Roman politics, and it is perhaps no surprise that the voters can be found making major decisions in the war's first three years. Discontent on the home front had to be managed, and given that the war still had to be fought off the local tax base, it was imperative that those who paid *tributum* were bound to the war effort as closely as possible.

One way to achieve that was to offer the citizens the chance to make decisions, and this was especially the case given the series of strategic dilemmas presented by Hannibal's invasion. Some decisions were made in the senate house—the Spanish campaign was in fact launched, for example, but the projected invasion of Africa was scrapped—but other decisions were still open. The most contentious issue unsurprisingly surrounded the question of how to meet Hannibal's invasion of Italy. Generals—both of the battlefield and of the arm-chair varieties—had much about which to disagree here. Should they face him

31. Pittenger 2008: 38–40 for sources and discussion.

32. Livy 21.63.3, with bibliography and discussion at Feig Vishnia 1996: 39–42, El Beheiri 2001, Beck 2005: 263–5, Martin 2012: 244–7, and Aubert 2004: 166–8 on the values behind the law. Cassola 1962: 215–7, Nicolet 1980b: 879–82 and D'Arms 1981: 20–33 all see the measure as a conservative reinforcement of senatorial traditions, but it is not easy to reconcile these respectable goals with Livy's insistence that the senators abhorred the proposal. Why would Flaminius, having taken it upon himself to maintain the traditional dignity of the senators, be so consistently remembered as the senate's foe?

again in the field? Should they wear him down over the years? What lessons should be drawn from the Roman failure at Trebia and Trasimene? Who was the best man to meet Hannibal's challenge?

Polybius was no doubt right that the moral blow from Trebia and Trasimene was all the greater because the Romans had experienced defeat so rarely in recent times.³³ Amid such consternation they sought a dictator. The process for appointing this highest and rarest of magistrates was supposed to be through declaration by the consuls, yet one was dead and the other was absent. The precise constitutional maneuvering is uncertain, but there can be little doubt that the senate took the extraordinary step of asking the voters to elect a dictator.

And so the community resorted to a remedy which for a long time had been neither desired nor employed: the naming of a dictator. Yet because the consul was absent, and because it was not easy to send a messenger or a letter through an Italy overrun by Punic arms, and because the voters were unable to appoint a dictator, the voters appointed—a thing which had never happened before that day—Q. Fabius Maximus dictator and M. Minucius Rufus his *magister equitum*.³⁴

In 217, then, the Roman voter assumed a new power in choosing dictators, and the significance of this new agency should not be underestimated. The unavailability of consuls was, as Livy claimed, a problem, but this did not mean that the resort to the assemblies was unavoidable. If innovation was in the air, the senators could have chosen to name a dictator themselves, or to pass the appointment on to praetors. Or, had they adamantly opposed the only available method of appointment, they could have avoided the dictatorship altogether. Instead they embraced popular assemblies. Procedural regularities were overthrown so

33. Polyb. 3.85.8–9.

34. Livy 22.8.5–6. The egregious contradiction in the last sentence is hard to miss: voters who were unable to appoint a dictator promptly appointed a dictator. As a result of this twist in logic, the passage has not always been trusted (for the history of scholarship, see Lesinski 2002: 133–7 and Vervaeke 2007), yet there is little reason to reject it. It is confirmed by Zonar. 8.25 and Val. Max. 5.2.4 (though the senate is the actor at Val. Max. 3.8.2—*MRR* contains all of the references). Moreover, Livy's addition of "had never happened before that day" (*ante eam diem factum erat*) makes most sense if this particular occasion provided a break in earlier custom—that is, the people took on a new role in appointing dictators—and Lesinski 2002 has offered a convincing reconstruction of the constitutional procedures, whereby the practical decision (*quem dictatorem dici placet*) was left to the people, whose choice was then implemented via a *dictio* from the absent consul. Such a procedure would indeed have been convoluted, but this only confirms how strident was the determination to include the voters—it would have been so much easier just to exclude them. The possibility that Fabius was in fact *pro dictatore* (see Beck 2005: 284–5) instead of dictator is unlikely, given the evidence for his dictatorship (*pace MRR* I: 245–6n2). It is not difficult to see why Coelius Antipater would invent the *pro dictatore* concept to explain the irregularity of a popularly appointed dictator. In any case, even if the authority was *pro dictatore*, Golden 2013: 29 is surely right that it makes little practical difference to the fact that the people were given the power to assign unusually strong powers to a leader. On other constitutional issues, see Vervaeke 2007. One wonders how unique this nomination of Fabius would appear if there were more lucid sources for the dictatorship of the otherwise unremarkable Q. Hortensius in 287.

that the Roman voters could determine which leader would resume hostilities with Hannibal. The vote brought Q. Fabius Maximus to the fore.

Nor did the people's influence over the dictatorship in 217 end there. Every dictator was permitted to adopt a lieutenant, a *magister equitum*. In what amounted to a further breach of regular procedure, however, Fabius did not choose his own but was assigned one by the voters. The man they chose was a consul of four years earlier, M. Minucius Rufus, and friction between the two leaders suggests that this was no rigged vote—Fabius clearly did not receive the lieutenant for whom he must have hoped. The dictator was careful to avoid direct engagement with Hannibal, but his *magister equitum* still agitated for the legions, which were equally dissatisfied with Fabius' restraint, to crush the Carthaginians in the field sooner rather than later. Fabius was in the unenviable position of having to restrain both his rank and file and his second in command. So eagerly did Minucius compete with his superior that, having won a battlefield victory in Fabius' absence—and against Fabius' express order not to engage Hannibal—a tribune proposed to the voters that they elevate his *imperium* to that of a dictator's. The *magister equitum* was in effect a co-dictator, which is, as Scullard put it, "almost a contradiction in terms."³⁵ Yet the voters approved the bill. Having appointed a dictator in contravention of all precedent, they now overhauled the rationale of the office by appointing two of them. Constitutional precedents were being set on the fly. What is more, the senators—and Fabius' supporters in particular—not only failed to prevent the election of Minucius but they also approved it.³⁶

The critical question is how the people came to exercise such control over these most serious of matters. The elevation of Minucius—and the same could perhaps be said of C. Terentius Varro's election to the consulship in the same summer—was both a decision about personnel and a decision about policy. The views of Minucius and Fabius were well known, and to elevate the former was to bring his strategy to the field.³⁷ But why did senators tolerate this subordination of their own autonomy? Did they approve of the procedure because they had engineered the results? Or did they genuinely accept a role for the voters in guiding the war effort? Why, instead of obstructing or rejecting votes on the dictatorship did they accept the people's judgment? The evidence makes no mention of a rigged procedure, and there can be no doubt that Livy and Polybius understood popular voting to have a near irresistible power to intervene in the war effort.

35. Scullard 1973: 48. See also the tradition preserved in Plut. *Vit. Fab.* 9.2–3, in which Minucius is elevated as protection against the wrath of Fabius after his insubordination. For full discussion of titlature and authority, see Vervaeke 2007. Sumner 1975 reasonably argues that the dictator and *magister equitum* had been elected to act as a pair of replacement consuls, but this fails to explain why Minucius' status would have been upgraded later in his term.

36. Feig Vishnia 1996: 57 and Beck 2005: 288–9 on envisioning a senate with enough authority to decide the matter.

37. Vervaeke 2007: 203–4.

Two things need to be explained: the very real prominence of the voters and the elite's collective acceptance of popular interjection. I would suggest that, confronted with a strategic dilemma, Rome's leaders chose to defer to the citizenry because they feared what would happen if the voters, taxpayers, and conscripts felt alienated from the war's direction. Conscription had grown more pressing and—with costs rising, tributaries cut off, and potential taxpayers fallen in battle—the fiscal strains had also grown more oppressive. Unless the soldiers and taxpayers bought into the war, the supply of money and manpower could not be guaranteed and the entire struggle against Hannibal was sure to atrophy. Fiscal contributions, in other words, lent real political power, because the erstwhile rulers could not afford to alienate the taxpayers. They chose to cede some autonomy in order to ensure compliance.

It is worth noting two parallels with the First Punic War. The rationale for the popular votes of 217 were in many respects similar to those behind the momentous vote of 264 to invade Sicily. Rome's leaders in 264 and 217 needed to bind the citizens to whatever policy was adopted because there was no way to replace citizen taxes, and so they granted the voters greater control. There was evidently something improvisational about such votes—the people ended up abandoning the naval war they had sanctioned in 264 and diluting the autonomy of their dictator in 217—but this only serves to emphasize the lack of coordination behind the votes. These were real votes on issues that the most influential senators would no doubt have preferred to keep in house.

The situation in 217–6 also bears resemblance to that of 253–2, when voters banned the public funding of Rome's fleets. In both cases, elite leadership of the war had failed spectacularly, and if voters felt that the establishment's claim to superior judgment had lost some of its luster, it is difficult not to sympathize. What sits in greater need of explanation, however, is why the senators tolerated—in the case of dictatorial elections, even invited—the intervention of popular assemblies. The answer, I would suggest, is that fiscal necessity left them with little choice but to appease those who were paying for the war. So long as the state relied on *tributum*, those who paid it would enjoy a degree of leverage.

LEADERSHIP, OBEDIENCE, AND EXASPERATION IN THE DARKEST DAYS OF THE WAR (216–10)

After the catastrophe at Cannae in 216, there was no section of Roman politics that did not feel the strain. The treasury in particular was in dire straits, leading to the unsustainable burdens examined in the first part of this chapter.³⁸ *Tributum* was doubled in 215, and in an effort to repair the fiscal disaster,

38. There is evidence of persistent revenue shortages. In 216, soldiers in Sardinia and Sicily received no pay or clothing (Livy 23.21.1–6). In 215, Fabius Maximus ordered an army to be dismissed during winter to reduce

the state expanded the tax base by seizing estates that were not already subject to *tributum*—that is, the property of orphans and women who were not enrolled in the census.³⁹ Still, there was not enough money. There were various resorts to credit—something which, aside from the loans to build a fleet at the end of the First Punic War, was unheard of at Rome—but the economy lacked financial mechanisms on a scale needed to supply sufficient funding.⁴⁰ Rome's leaders still relied on *tributum*, which meant that they relied on those who paid it.

If ever there was an opportunity for the citizenry to leverage taxation for political influence, this was it. And yet such political opportunism is nowhere to be found. On the contrary, the assemblies appear to have fallen silent in these years. They intervened in the allotment of provinces early in 215, insisting that a command be given to M. Claudius Marcellus as the only leader who had enjoyed any success against Hannibal, but few controversial decisions were offered to the voters in 215, 214, 213, or 212.⁴¹ On the contrary, the most noteworthy vote of the period was that for the consuls of 214, in which Fabius bent an election to his will by arguing that the frontrunner (his sister's son-in-law) was unqualified to command an army against Hannibal.⁴² Far from challenging Fabius' authority, the voters were willing to overturn their own decision in order to follow his lead.

There are obvious reasons for this voluntary subordination. Cannae was a chastening experience for all, and perhaps there was a broad consensus that Fabius' policy—a war of attrition in which the legions did not risk meeting

costs (Livy 23.48.2). In 214, the Spanish troops had to do without pay from home (Livy 48.4–12). For discussion, see also Nicolet 1963, Crawford 1974: 28–34, and Rosenstein 2004: 36–8.

39. Livy 24.18.13–5, with Nicolet 1980b: 164. Importantly, the resort to women and orphans pressed those demographics that were least able to resist or protest. Nicolet 1980b: 162 also discusses the obligation for widows and orphans to fund cavalry mounts and fodder.

40. In 216, the Romans borrowed enough grain and money from Hiero of Syracuse to sustain the army for six months, and they failed to pay it back the year after (Livy 23.21.5, 28.12). The dictator M. Junius Pera also forced creditors to bear the costs of recruitment by canceling the debts of those who took up arms after Cannae (Livy 23.14.2–3 and Val. Max. 7.6.1, with Gabrielli 2003: 97–9). From 216 to 214, Ti. Sempronius Gracchus led an army of slaves purchased on credit by the treasury, and the owners eventually forwent payment altogether (Livy 22.57.11–2, 23.32.2, 24.14–6, 24.18.12). In 215, a praetor, unable to pay for supplies, let contracts for the Spanish army on credit (Livy 23.48.9–49.4). Contractors in 214 agreed to work on credit for the maintenance of religious buildings and horses, while in the same year the wealthy supplied naval crews out of their own pockets (Livy 24.11.7–9, 18.10–1).

41. Marcellus: Livy 23.30.19. Marcellus' enemies would thwart his suffect consulship later in the year—auspices were used to declare that electing two plebeian consuls displeased the Gods (Livy 23.30.13)—but even they perhaps found it impossible to stand before the people and deny that his talents would be useful against Hannibal. For discussion of Marcellus' failed election and the issue of two plebeians occupying the consulship, see Beck 2005: 309–11 and Lundgreen 2011: 149–50, arguing that the issue had nothing to do with Marcellus personally. On this particular occasion it is reasonable that Marcellus was not himself to blame—though there seems to be no issue with the other plebeian, Ti. Sempronius Gracchus—but the recurring conflicts surrounding Marcellus suggest an underlying hostility. For this more antagonistic reconstruction, see McDonnell 2006a: 78–81 and McDonnell 2006b: ch. 7.

42. Livy 24.7–9.

Hannibal in open battle—did not need to be challenged.⁴³ Perhaps the old military discipline of taxpaying veterans was reactivated in these darkest of days, and they fell in line with their old commanders. Perhaps they were simply terrified. In any case, there appears to be agreement for a few years that the extraordinary fiscal demands were justified.

The pressures on the farming families sketched in the first part of this chapter, however, were clearly unsustainable, and it seems that by 211 patience was fraying. The reason I argue this is that there is an eruption from a number of exasperated taxpayers in 210, and this eruption is accompanied by concessions on the part of the leadership: in 211, the senators invited the people to elect a commander for the Spanish front; in 210, they would invite them again to choose a new leader for Spain; and in the most extraordinary sacrifice, aristocratic families lent the treasury their own reserves of precious metals. After four or five years of monopolizing control, the senate's new leadership style requires explanation. I will argue that the beneficence of Rome's leaders reflected their reliance on those who paid *tributum*. Fiscal dependence bred in them a deference to popular sentiment that is at odds with many reconstructions of Roman politics, and it led them to make concessions—whether in the form of political control or of economic sacrifice—in an effort to mollify disgruntled citizens.

Before examining the accommodations of the leaders, however, the first step is to demonstrate that there was indeed discontent bubbling over because of taxation. Protests erupted in 210, and the spark was a demand that a section of the citizenry supply a number of rowers with six months' pay and thirty days' rations.⁴⁴ There is no doubt that the offense here was specifically fiscal: the protest, if Livy's details can be trusted, came not from the poor who would serve on the ships, but from the wealthier citizens of the third census class and above—those worth more than 50,000 asses—who were required to provide rowers, pay, and rations.⁴⁵ Given the challenge of meeting subsistence plus *tributum* outlined earlier, it is no surprise that farmers resented the loss of manpower and the consequent reduction in the farm's productivity—not to mention the money lost to six months' pay. Yet there was nothing in the decree that was inherently unacceptable—an identical demand of 214 had prompted no such outrage—and so the offense was specific to the circumstances of 210.⁴⁶

The problem in this year was that the fiscal burden had snowballed as farms struggled to pay a tax on overall property amid a reduction in available manpower. In the passage that opened this chapter, Livy has the citizens of 210

43. Bleicken 1955: 41–2.

44. Livy 26.35.3. The affected taxpayers were limited to the upper property classes and the number of men handed over varied from one to eight, depending on the declared value of the estate.

45. Livy 24.11.7–9.

46. Livy 26.35.2–10.

complain of excessive *tributum*, of fields laid waste, and of slaves already sent from the farms to the ships; what gold or silver they once owned had already been handed over to the treasury.⁴⁷ The reason for the protest, therefore, was that the fiscal demands over five years had been too much. This was no sudden epiphany, in other words, and given the cumulative nature of the tax burden, it is not unrealistic to suggest that the disgruntled were already making their views known in 211, or even in 212. To any senator who needed these citizens to keep paying taxes, or who feared that voters might agitate to redirect the war effort, the prospect of popular anger posed the gravest of threats.

In this context, it makes sense that the senate would pursue a conciliatory line toward the voters. In 211, there was need for a new commander for the Spanish front. The commanders there, the Scipio brothers, had died in battles and an equestrian named L. Marcius had assumed command on his own initiative, styling himself *propraetor*. The senators would have none of this. They insisted that a new leader be named in Rome, yet they declined the right to name a new commander themselves and delegated the choice to the voters.⁴⁸ That choice fell upon C. Claudius Nero, who enjoyed little success in Spain, and so in 210 it was resolved that the people should again elect a leader for a new Spanish campaign.⁴⁹ The voters this time made the fateful decision to elect the young P. Cornelius Scipio, son and nephew of the former Spanish commanders, and the man who would drive the Carthaginians out of Iberia and eventually defeat Hannibal himself. With him the senate sent an additional 10,000 infantry, 1,000 cavalry, and a war chest of 400 talents.⁵⁰ The senate was not only asking the voters to replace the old commander, therefore; they were also asking them to pick the leader of a new, intensified push in Spain.

There was nothing inevitable about the voters' role in naming Spanish commanders. The senate had not invited the assemblies to make a major decision about the war—beyond the annual election of magistrates—since Fabius was elected to the dictatorship of 217. Their subsequent elevation of C. Terentius Varro as consul of 216 had been construed by some as a disaster of the people's own making, and the reins were kept firmly in the hands of the senators until 211, when the assemblies were brought back into the fold and asked to whom the Spanish command ought to be given.⁵¹ Livy makes plain that in 211 the senate could have named the new commander: although the position could be filled either by vote of the people (*populi iussu*) or by nomination by the senate (*auctoritate senatus*), the senators were nonetheless unanimous that the tribunes

47. Livy 26.35.5.

48. Livy 26.2.5–6.

49. Nero: Livy 26.2.1–5, 17.1–3; App. *Hisp.* 17.

50. The main account is at Livy 26.18–20, but see Richardson 1986: 56–7 for discussion and references.

51. See Ungern-Sternberg 2005: 318 for the tradition of Varro's election as the result of agitation in the assemblies. Rosenstein 1990: 33–4 and 140–1 for Varro's generous reception after the disaster at Cannae.

should convene the assemblies and ask whom they wanted to send.⁵² In 210, the vote was more unusual, cheapened perhaps by the fact that Scipio appears to have stood as the lone candidate. This has understandably led to a general consensus that the election was fixed.⁵³ Questioning the fairness of the vote, however, misses the point. Even if the vote was rigged, it still raises the question of why the senate would bother with a sham election instead of simply naming Scipio and moving on. In some respects, in fact, a rigged election would be even harder to explain. Why bother including the people if their opinions did not matter? What was it about the years 211 and 210 that compelled the senate to factor in the role of the voters?

Given the cumulative burden of taxation since 216 and the eruption of discontent in 210, it is likely that there were already grumblings in 211, and if that was the case, then an obliging attitude to the people is understandable. Vervaeet and Naco del Hoyo are no doubt right to argue that the senate turned to the voters “probably [hoping] to forestall any popular agitation about the appointment of another commander-in-chief for Spain,” but the disaffection of the voters has to be seen in the context not simply of operational controversies, but of a simmering discontent over fiscal demands.⁵⁴ Taxpayers had already endured so much, and now the senate wanted to persist with a stalled war in a remote theatre. Despite all the strategic merits of the Iberian war, it is not difficult to sympathize with taxpayers who, with Hannibal still in Italy, considered such a distant campaign to be a luxury. With a tax base increasingly fatigued, and with resentment on the rise, the senators invited the voters to take a greater stake in the war they were funding. The votes of 211 and 210, in other words, were designed to encourage taxpayer compliance and forestall any eruption of discontent. Election brought the people back into politics on the establishment’s own terms. Again, fiscal structures shaped political practices. Because *tributum* was an absolute necessity if the war machine was to roll on, senators were forced to make concessions that they would not otherwise have done.

52. Livy 26.2.1–5.

53. For discussion and bibliography, see Beck 2005: 338–40 and Vervaeet 2014: 207–11. It has been assumed since Mommsen 1862: 159 that the whole election was a sham to cover the senate’s own choice of whom to appoint. Rosenstein 2012a: 161 suggests that the election was needed because young Scipio was a private citizen not already endowed with a magistracy, though this would not explain the vote of 211, when the voters chose in Nero a man who was already commanding troops as *propraetor*. It should also be noted that the (admittedly unrealistic) tradition certainly does not frame the vote as an empty procedural device. According to Vervaeet & Naco del Hoyo 2007: 24 and Vervaeet 2014: 207, the senators could not reach an agreement on whom to send, but this seems unlikely given the dearth of candidates; surely if senatorial debate had produced a list of contenders, then there would be more than one candidate. There is evidence that the vote was not rigged. The historiographical tradition is consistent that the election was free and that many had doubts regarding the choice of a mere twenty-four-year-old. Both Livy 26.18.10–19.9 and Zonar. 9 have Scipio forced to address the people to allay fears on the part of both senators and voters, and Vervaeet 2014: 207–8 discusses this at length. Alas, the reality of the election was probably not widely known at the time, and it is surely beyond certainty today.

54. Vervaeet & Naco del Hoyo 2007: 24.

These votes alone, however, could never compensate for the demands placed on the population. More needed to be done. The senate promptly dismissed the longest serving veterans, and later in the year the people would again be asked to choose a dictator for holding elections.⁵⁵ These, however, were all minor salves. The real problem was not simply one of inclusion. The tax on property—*tributum*—fell hardest on the middling farmers, and if the leaders wanted to soothe the tax base, they would need the most privileged estates to bear more of the burden. This is exactly what they did. In 210, faced with disgruntled taxpayers, the senators voluntarily lent the state more of their wealth than *tributum* required.

This brings the analysis back to the protests of 210 and the call for the rowers, pay, and rations that sparked them. According to Livy's narrative, there would have been a riot had the people not lacked a leader. A great crowd protested "in the Forum, not in secret, but before the eyes of the consuls themselves . . . The consuls could pacify them neither by chiding them nor by consoling them."⁵⁶ The taxpayers refused to comply with the order, and given that the treasury had no alternative source of revenue, this was an enormous threat to the war effort.

Livy claims that it was the consul, M. Valerius Laevinus, who came up with the solution:

If you first impose upon yourself and your family that duty which you wish to impose upon an inferior, you will more easily find everyone follow you. For the burden is not harsh, when they see each of the leaders take more than his own share of it. And so if we want the Roman people to have fleets and to fit them out, if we want private citizens to provide rowers, we must first give the commands to ourselves. Gold, silver, coins, let us senators bring it all to the state tomorrow, such that each man leave only a ring for himself and his wife and his children, as well as a *bulla* for his son and, if he has a wife or daughters, an ounce of gold for each.⁵⁷

According to Livy, therefore, the senators soothed the citizens by volunteering their own wealth (they made sure that they were later paid back in prime land). The next day, everyone joined in and donated their valuables to the treasury.⁵⁸ This is, of course, a dramatic set piece, a fiction full of holes. How could

55. Livy 26.28.7–8, 27.5.14–9, with Badian 1996: 207–8. In the case of the dictatorship, the senate had unsuccessfully tried to extract a valid nomination from the consul, Laevinus. Only after they gave up on Laevinus, whose preferred candidate was not on Italian soil and hence was ineligible, did a tribune pressure them for a name, and it was at this point that the senators decided to ask the people. The choice of the people was then sent to Laevinus' colleague, Marcellus, who promptly appointed the nominee. It was hardly a mad rush to democracy, and the intention may well have been to undermine Laevinus' obstinacy as much as anything else. It is nonetheless worth wondering why the decision was not simply offered to Marcellus to begin with.

56. Livy 26.35.7–8.

57. Livy 26.36.3–6. Further permission follows to keep stipulated amounts of silver and bronze.

58. On the repayment, see Livy 31.13.2–9, with Roselaar 2010: 127–8. These repayments are part of what makes Livy's reconstruction so improbable. The public land used to repay the loan of 210 was within fifty miles

country elites bring all their metals to Rome on twenty-four hours' notice? They could not. Why would the state need metals to pay slaves? Surely if there were slaves on the ships they were not earning a wage.⁵⁹ The inclusion of pay must mean that plenty of these rowers were free citizens. How, finally, would an influx of metals alleviate a shortage of rowers? This last question is perhaps the key to understanding the episode.

What the state really lacked was not rowers but coins. The elite's gold and silver could not pull oars, after all, and as Rosenstein has pointed out, there really should not have been a shortage of rowers, given that there were more than enough poor Romans (*proletarii*) eligible to be conscripted onto the ships.⁶⁰ Conscripting the free poor, however, would solve none of the dire financial challenges of the day, since the treasury would still have needed to provide a full citizen's wage and rations to each man. This was especially true in 210 because of coinage reform; a new currency system based on the denarius had just been introduced, so new coins had to be minted—and raw metals would have to be found—at a furious rate.⁶¹ Given that there were eligible rowers in Rome and that the crisis was averted by the elite's metals, the state must have been in need of the six months' pay more than the manpower. In 210, therefore, faced with a shortage of new coins to fund the navy, the state simply outsourced the task, ordering that new rowers be provided who would source their pay from within their own households.⁶²

The problem again appears to revolve around the issue of state revenues. The call for paid rowers was a new way to make citizens contribute more money—this time handing it directly to those who served on the ships—but these taxpayers had had enough. They refused to pay, and the leadership had to respond. Livy claims that they tried chastising the protesters, but this got them nowhere. The indispensability of citizen taxes meant that the leaders simply lacked the leverage to force an issue once the taxpayers had made up their minds. The state's reliance on *tributum* endowed the citizens with more than enough

of the city. It was prime real estate, limited in quantity and too valuable to be parceled out to every common taxpayer. The recipients can only have numbered a few hundred, and hence the land was reserved solely for the wealthy. There was no cascade of willing donors as envisaged by Livy.

59. The slaves who served in the legions from 216 to 214 won their freedom on the battlefield, but they were surely not paid until they were free (Livy 22.57.11–2, 24.14–5). Livy 24.11.7–9 and 26.35.3, however, explicitly mention *cibaria cocta* and *stipendium*. The inclusion of pay makes little sense if all the men called up were slaves.

60. Rosenstein 2002: 169–76, though De Ligt 2012: 155 argues that the lowered property qualification from 212 onward would have moved many rural *proletarii* into the fifth class. This would indeed reduce the number of those eligible for the fleet, but it would not explain why slaves were needed to row in 214 as well.

61. Crawford 1974: 33, Crawford 1985: 61. Clear and concise treatments of the period's fiscal turmoil and the introduction of the denarius can be found at Nicolet 1963, Crawford 1974: 28–34, Crawford 1985: ch.4, Marchetti 1978: 299–301, Harl 1996: 31–2, Andreau 1999: 114–5, and Woytek 2012. Readers should be aware that not all scholars agree on all points.

62. It was already possible under the *tributum* system for each soldier to demand his pay from an assigned taxpayer (Plaut. *Aul.* 508–31 and Gai. 4.26–7, with Nicolet 1980b: 163–4), but the request that each wealthy taxpayer provide a fully paid male was a novel extension of that practice.

bargaining power to stare down the senators, and this left the elite with only two choices: deploy fewer ships or contribute the metals themselves. They chose the latter. Although repayment in the form of public land likely meant that the creditors turned a profit, it is inconceivable that the senators were eager to put their wealth on the line like this. Their hand was forced by fiscal politics. Their determination to prosecute the war bound them to the state and its treasury, and that relationship in turn left them dependent on the consent of the taxpayers. Taxation again empowered the people.

From 216 to 212, the taxpayers, patiently enduring their fiscal burden, had played a submissive role in Roman politics, but by 211 that burden must have been difficult to endure. If the people's tolerance snapped, all the elite's best-laid plans would come to naught; revenues would dry up or, emulating their ancestors in the First Punic War, the voters would look for a tribune willing to legislate for changes in policy. The threat of this taxpayer revolt—anything from noncompliance to the hijacking of policy—loomed over Roman politics and shaped the practices of the governing elite. The leaders managed the situation deftly. They offered the people votes on the senate's own terms. They asked not whether the voters wanted to fight in Spain, but whom they wanted to lead such a fight. They then volunteered their own wealth to ease the burden on the rest of the tax base. Aware that tensions were building, in other words, the senators were proactive in mollifying the taxpayers. All of this speaks to the realities of fiscal politics in this period of Roman history. The irreplaceability of citizens' *tributum* meant that they enjoyed a good deal of bargaining power, and this forced senators to cater to the popular will.

CONCLUSION

There was a great deal of sensitivity in the elite's management of fiscal politics in 211 and 210. Other regimes might not have been so conciliatory: early modern Europe, for example, is full of cases in which calls for taxation resulted in bargaining and concessions, but these tended to be the end of a sequence that began with protest, required violent repression, and then resolved itself with a set of agreed terms.⁶³ Such interactions required an element of violence to bring the parties to the negotiating table. The state did not consider concessions unless faced with the costly business of suppressing resistance, and the people would not accept terms unless threatened with the coercive might of the state.

At Rome in the third century, however, there is no evidence of such bloody brinkmanship. Roman leaders lacked the muscle to shake down taxpayers, and as Nippel has shown, that kind of coercive apparatus could never coexist with

63. This is the so-called intervention-resistance-repression-bargaining cycle. See Tilly 2009: 180–2 and Tilly 2007: ch. 6. Detailed case studies for France can be found in the excellent Beik 1997.

Rome's aristocratic regime.⁶⁴ Yet, the state's singular reliance on taxpayer contributions meant that the elite had to transact with the citizenry, and this frequently produced a consultative—at times, even deferential—politics. Senators could not override the voters' decisions on various matters, and on some occasions—as with the appointing of a dictator in 217—they even chose to delegate matters to the assemblies. A hiatus in popular decision making from 216 to 211 was ended when the senate again invited the voters to elect a commander, and in 210 there was the extraordinary sight of senators hauling their own valuables into the treasury for smelting.

The elite's concessions were a necessary response to taxpayer exasperation. The fiscal demands had been too great for too long, and while those who paid *tributum* had borne their burden with equanimity for several years, their patience was not unlimited. This mattered because the elite could not fight the war without the state's resources, and the state could not extract those resources without taxpayer compliance. Taxpayers were the bedrock of the war effort, and their indispensability gave them enormous leverage. The senators had to bear their views in mind. They offered greater popular control over the war in 211 and put up their own wealth in 210, and this was enough in the short term to tamp down any protest. Would this suffice over the long term? Luckily, they never had to find out. Just when the forbearance of the taxpayers was at its breaking point, the legions began to rack up the victories. They seized treasure while capturing Syracuse in 212, Capua in 211, and New Carthage in 209.⁶⁵ These were great fillips to morale, but they also eased the fiscal pressure. The number of troops requiring pay began to decline: the number of men under arms, according to Brunt's reconstructions, fell from 75,000 in 211 to 65,000 in 210; from there it reached 60,000 in 208 and 50,000 in 205.⁶⁶ The broken coinage system was overhauled, and the treasury could pay a few more of its bills. As the fiscal politics that had so relentlessly constrained the leadership after Cannae began to relax, the demands placed on the people could be eased and their discontent ceased to loom so menacingly.

I will conclude with two points. The first is that, although the state relied on citizens to contribute both taxation and military manpower, it seems to be the former that posed the greatest political problem. There is little to suggest that there were conscription problems during the Second Punic War, but the protest of 210 can be specifically traced to the disgruntlement of those relatively

64. Nippel 1984, 1988, 1995.

65. Syracuse: Livy 25.31.8 and Polyb. 9.10.11, with Naco del Hoyo 2011: 381. Note Marcellus' care to protect the Syracusan treasury when finally taking the city. At Capua, the Romans seized 2,700 pounds of gold and 31,200 pounds of silver; see Livy 26.14.8. At New Carthage, Scipio captured 600 talents in loot, though Polyb. 10.19.1–2 seems to imply that Scipio did not send the treasure back to Rome. For data on all the booty, see Frank 1933: 80–1 and Marchetti 1978: 272–5.

66. Brunt 1971a: 418.

affluent citizens who paid *tributum*. This is especially curious given that the annalistic tradition records more instances of protest against military service in early Rome than against taxation.⁶⁷ Why would this situation have changed? One answer is quite obvious: *tributum* was not instituted until the end of the fifth century, and so there can be no surprise that taxation was not an issue in that early period. The critical test would, therefore, be in gauging the nature of protest after the institution of military pay and *tributum*, and in this there seems to be a noticeable decline in protest against soldiering. When a protest does emerge, moreover, it is tepid.⁶⁸ It is possible, therefore, that the institution of military pay assuaged the main concerns that had aggrieved the conscripted prior to the war against Veii and temporarily removed the levy as a site of contention. Profits were always, after all, one of war's appeals. Another possibility is that the *Lex Hortensia* of 287—a law that bestowed the full force of law on any bill approved by the *plebs*—honed the powers of the assemblies and made it easier for voters to affect policy.⁶⁹ Thus by the time of the Punic Wars, protest did not arise from the citizens in cuirasses so much as from those in togas. Perhaps a militaristic culture meant that young men did not resent service, or perhaps they did not want to jeopardize the prospect of profits. Perhaps the privileged ethos of the private citizen was more empowering than the military discipline of the soldier in camp. In any case, it appears to have been the taxpayers who protested loudest.

I would argue, therefore, that Millar's image of a leader having to win over an empowered, sovereign audience rests on its strongest foundation in the third century. It was in this period that the expenses of wars had begun to rise without any simultaneous creation of overseas revenue streams.⁷⁰ This meant that the taxpaying citizens—most of whom must already have completed their decade of military service—carried the fiscal burden of war, and well and truly at the forefront of their leaders' calculations, they hence preserved a strong element of popular influence over politics. Their leverage derived from the state's—and thus the aristocracy's—dependence on their economic resources, and this limited the degree of hegemony enjoyed by Rome's political rulers. As the state's reliance on the taxpayers became weaker and weaker—a process that began with the capture of Syracuse in 212, but that would not be complete until

67. Livy 2.28.5–9, 2.55.1–3, 3.10.9–11.5, 3.25.9, and 4.12.5 (when there is not even a levy to disrupt). My thanks to Cliff Ando, who made this point to me in response to a delivered paper, and forced me to come to grips with the issue. On the levy, see Brunt 1971a: esp. 635–8, where he observes that the very word *dilectus* (levy of soldiers) implies coercion.

68. Livy 6.21.5

69. The democratic impact of the *Lex Hortensia* has not been accepted by many—see, for example, the disparaging references at Cornell 1995a: 378—but these first generations of Romans to live under it may not have fully appreciated the eventual impotence of the reforms (Hoyos 1998: 59, Ungern-Sternberg 2005).

70. Millar 1989: 91, now with the discussion at Pina Polo 2012: 47–8 for a contextualisation of Millar's contribution.

the cancellation of *tributum* after 167—so, too, did the consultative politics of popular decision making.

The second point is that the political elite did a remarkably good job of controlling politics in the Second Punic War. Their well-timed loan of 210 forestalled any debate over whether the fiscal system was working, or whether the wealthiest ought to have paid more every year. By easing the fiscal pressure, they bought themselves time and allowed controversial issues to stay off the public agenda.⁷¹ Even more important, the leadership appears to have kept the tribunes of the *plebs* in line.⁷² All votes required a magistrate to convene an assembly and propose a specific law, and in 253 and 248, there appeared tribunes who were willing to exercise strong leadership in actualizing what seems to have been strong popular opposition. It was a tribune in Q. Claudius who passed a limitation on senatorial shipping in 218, and it was another tribune in M. Metilius who proposed the elevation of Minucius to dictator in the following year (with, of course, the backing of Minucius and his supporters); but in the dark days after 215, when somebody successfully proposed to keep Marcellus in the field against Hannibal, there were only relatively minor interjections from the tribunate.⁷³ Tellingly, tribunes vented fury in 212 when contractors were found to be defrauding the poverty-stricken state—again, an issue closely bound to fiscal troubles—but Livy’s comment on the protests of 210 remains salient: “so great was the outcry that what was missing for a riot was more a leader than fuel.”⁷⁴ In this instance, when a popular leader could have fanned the flames in the crowd, no tribune stepped forward. There are various possible explanations for this, but one seems to me the most promising.⁷⁵ From the First Punic War to the Second, the number of praetorships rose to four, and this likely incentivized more conservative behavior from tribunes. By holding out rewards, in other words, the allure of this new career path might have helped senior senators to co-opt the voters’ potential leaders. Tribunes began to see the tribunate less as the pinnacle of their careers and more as a stepping stone. This would have grown more

71. For the elite’s all important control of political debate, see Meier 1980: 54–6 and Hölkeskamp 2010: 39–41.

72. The tribunate has been subjected to a great deal of study; see, for example, Bleicken 1955, Bleicken 1981, Hölkeskamp 1990 (with Badian’s response in the same volume), and Hölkeskamp 2004a: ch. 2 for constructions of the tribunate as co-opted by the ruling nobility, contra Ungern-Sternberg 2005 for a view of the people’s representatives as more defiant and radical (at least down to 216).

73. Ungern-Sternberg 205: 322. L. Metellus prosecuted censors who had punished him in an earlier census (Livy 24.43.1–3), and two tribunes of 211 prosecuted individual leaders who had neglected duties (Val. Max. 8.1; Livy 26.2.7–3.12).

74. On the tribunes of 212: Livy 25.3–5. On the tribunes of 210: Livy 26.35.4: *Tanta indignatio fuit ut magis dux quam materia seditioni deesset*.

75. There are various potential explanations. The elite’s unavoidable tolerance for the tribunate (see Jehne 2000a: 222) may simply have reached its limits in these dire times, or the old mentalities of the Conflict of the Orders may have subsided. Perhaps the desperation of the war generated enough consensus to discourage disruptions. Alternatively, it is also possible that the war preoccupied the most ambitious young leaders with military glory instead of demagoguery.

likely as the prestige of the praetorship began to fall further behind that of the consulship from the 240s onwards, rendering it a cheaper prize to share than it had previously been.⁷⁶ It may, furthermore, have become even more conceivable immediately after 216. If Develin is right that the *Lex Atinia*—a law which allowed senators to become tribunes—was passed as part of the replenishment of the senate's numbers in 216, then the boundary that separated senate and tribunes was dismantled in precisely this period.⁷⁷ So long as the tribunes chose not to challenge the preferred policies of senior senators, it was impossible for disaffection to produce legislative policy.

The tribunate would not, however, remain so compliant. Much of the politics discussed in the last two chapters depended on the citizen's role as taxpayer, but with Rome's spectacular conquests of the early second century, *tributum* ceased to play a role in state finance. The politics of taxation, therefore, was rendered similarly obsolete. Many of the most aggressive tribunes in the third century seem to take cues from the crowd, acting on demands to end the naval war or to nullify Fabius' delaying strategy against Hannibal. Later tribunes, however, more often appear as reformers who go to the people with their own preconceived legislative agenda. While this was far from unheard of in earlier times—witness the *Lex Claudia* of 218—it became the defining feature of the tribunate. No longer would tribunes represent citizens empowered to challenge the status quo by their fiscal indispensability. By the second half of the second century, the tribunate became an office from which visionaries chose crusades and led a less potent people onward, and no two figures embodied this more than the subjects of the next chapter: the Gracchi.

76. Beck 2011 and Bergk 2011 contain discussion and references.

77. Develin 1978.

The Death and Taxes of the Gracchi

“**T**he sword was never brought into the assembly, nor the slaughter of a citizen, until, while serving as tribune and introducing legislation, Tiberius Gracchus was the first to be crushed in civil strife, and many others who gathered with him near the temple on the Capitoline were also slain.”¹ Appian here adorns the deaths of Tiberius and Gaius Gracchus, tribunes of the *plebs* in 133 and 123–2, with the dubious distinction of initiating the collapse of the Roman Republic. He was far from alone in viewing their careers as the beginning of the end. Although their assassinations bore little resemblance to the Mediterranean-wide wars that eventually destroyed the old system, the same resort to violence, the sheer anger, loomed large in subsequent political battles. The slaughter of so many—and of two tribunes of the *plebs*, supposedly protected by sacrosanctity—did not emerge *ex nihilo*, yet few if any could have foreseen such violence a year or two earlier. From the moment Tiberius passed a law on land distribution, the escalation of hostilities was dizzying.² Much ink has been spilled in reconstructing and explaining the tribunes of the two brothers, and it is beyond the scope of this chapter to deal with all aspects of these two remarkable careers.³ Instead, I will here use the Gracchi as a diagnostic tool to reconstruct the deepest interests of those who saw fit to kill the two tribunes. If the offense caused was that stark, so goes the argument, then Tiberius and Gaius must have threatened all that their opponents most treasured about the status quo. Only by coming to terms with what the Gracchi did wrong can the historian reconstruct what the opposition conceived of as right. In this, fiscal issues are at the fore.

Born in 162 and 153, the Gracchi belonged to the first generation of Romans who had never known *tributum*. Even in the late 150s, several of the dominant senators were men who had lived through the hardship of the Hannibalic

1. App. *B Civ.* 1.2. For the establishment of the Gracchi as the progenitors of the turbulent popular politics that followed, see Brunt 1988: 33 with the recent contributions of Hermon 1992, Roddaz 2005, Bücher 2009, Wiseman 2009: 10, 178–87.

2. The classic account of the turbulent tribunician background to the Gracchi remains Taylor 1962, with Garnsey & Rathbone 1985 on the specific issue of grain.

3. For recent scholarship on the Gracchi, see the excellent survey at Santangelo 2007b. A convenient (and occasionally acerbic) summary of early scholarship on Tiberius can be found at Badian 1972b.

War: M. Porcius Cato lived until 149, M. Aemilius Lepidus died some time around 152, and Ti. Sempronius Gracchus was obviously still alive when Gaius was conceived. Though aggressively conquering much of the Mediterranean world, these senators had overseen the creation of a remarkably restrained program of provincial exploitation.⁴ Although Spain was incorporated into the empire in the late third century, taxation was not regularized there until 179, at the earliest.⁵ The conquest of Macedonia in 167 saw the Romans close the profitable silver mines there and impose a tax that was just half of what had been paid to the old king, and even when they established a permanent military presence in Macedonia in 148, they did not increase the tax.⁶ On the home front, the failure to maximize profits is perhaps most obvious in the decision to end *tributum* after 167. Taxes and tribute in most areas, therefore, were either abandoned or simply retained from the status quo ante. Rarely if ever were they enhanced. These were certainly not acts of liberation, but they were not acts of avarice, either. Given the option to increase revenues and dedicate the treasury to providing more services, the senatorial elite had so far chosen to abstain. The Romans decided that mining profits, indirect taxes, and (at least in the early second century) indemnities would have to suffice.

The Gracchi represent a break with that tradition. They and their coevals had grown up in a city rebuilt with the profits of conquest, funded by provincial taxes, and fed by tribute grain. It was perhaps more obvious to Tiberius and to Gaius than it had been to their elders that the resources of the state could be used to alleviate problems in society. At least from the perspective of the twenty-first century, such a position does not seem an unreasonable response to new circumstances. Why, then, did it foment such rabid hostility? Working from the principle that the salience of political conflict rises as issues threaten identity, I will argue that the repositioning of the state and treasury threatened much of what it was that distinguished the Roman aristocrat from the rest of society.⁷ I will concentrate on three issues: first, the use of the state to raise and redistribute resources made it a competitor in the race to seize part of the slender surplus of the ancient economy; second, it turned the state into a powerful rival in the game of patronage and material support of the population; finally, the raising and spending of resources required standardized procedures that limited the autonomy and initiatives of aristocrats in office. The courses of action open to senators of the Gracchan period emerge as a very different set of possibilities compared to the ones that curtailed Rome's leaders during the two Punic Wars.

4. See most forcefully Badian 1968, Gruen 1984, and Dahlheim 1977: 129.

5. Richardson 1986: 115–6. See also Howgego 1994: 16–8 and Naco del Hoyo, T. 2003: 218–20, who argue for a later date on the (I believe mistaken) basis that the tax must have required silver coinage, something which would only later arrive in Spain.

6. 167: Livy 45.18.3–7. 148: Livy 45.32.7, with Justin 33.2.7 and Haywood 1938: 303.

7. On the importance of identity to the salience of violence, see Tilly 2003: esp. 76–7.

With no reliance on the people for public finance, the Gracchi's foes were willing to react violently to protect their interests. Popular agitation and legislation meant little. The deference to the people in 253, the sensitivity to their plight in 211–10, stand in stark contrast to the vehement aristocratic defense of its own prerogatives in 133 and 121. Executing tribunes with thousands of supporters and tossing the corpses in the Tiber River risked alienating much of the population—even those elements that had demonstrated little prior enthusiasm for reform—yet many senators decided that the price was worth paying. Few acts could so eloquently demonstrate the impotence of the citizenry.

TIBERIUS AND PUBLIC LAND

Detailed accounts of the Gracchi and their careers are widely available, so I offer only the briefest of narratives.⁸ Grandsons of Scipio Africanus and sons of the legendary Ti. Sempronius Gracchus—augur, censor, and twice consul—the Gracchi brothers enjoyed the bluest of blue blood. It is fair to say that there was not a person in Rome who could look down on their birth. Part of the fascination surrounding the Gracchi, in fact, stems precisely from the fact that they, whom the status quo so favored, chose to embrace such unconventional careers.⁹

At the age of twenty-eight, Tiberius was elected tribune of the *plebs* for 133. The position was created to protect the people's rights and well-being, and as Polybius' near-contemporary account reveals, this ethos remained valid in the mid-late second century. Holders of the office enjoyed the right to propose laws, the right to veto public business, and a sacrosanctity that demanded any hostile assailant forfeit civic rights and be exposed to execution with impunity.¹⁰ Tiberius employed his legislative rights to pass a law, the *Lex Sempronia*, which established an agrarian commission to reclaim publicly owned land from its erstwhile possessors and redistribute it in small, inalienable plots to the poor. He controversially decided not to submit the proposal to the senate for discussion before presenting it to the voters, and this has been construed as an opening act of hostility toward the elite.¹¹ There were, however, concessions. To those

8. Most of the details can be found in Appian's account in book one of *Civil Wars* and in the biographies of Plutarch. Admirably clear modern accounts can be found at Stockton 1979 and Lintott 1994, but any standard account of the Roman Republic will dedicate significant space to the Gracchi. Märtin 2012 provides a lengthy treatment, though emphasis on conflict between *nobiles* and *equites* (esp. 310–2) seems to defy both the sources and the outcome of events.

9. Meier 1980: 98, Badian 1972b: 707. David 1993 provides a sensible way of reconciling the “transgression” of the Gracchi with the traditional demand for *conformisme*, in which the need to construct a political persona incentivizes minor transgressions that themselves become new norms and modify the larger political culture. Such a process, in which seemingly minor additions to preexisting practices can produce major changes, is akin to the “layering” explored in Thelan 2002: esp. 226–30, a useful theoretical prompt. See also Russell 2013 for an emphasis on novelty as a way of creating renown and individuality.

10. Polyb. 6.16.4–5.

11. See, however, Stockton 1979: 62–4 for discussion.

who had come to occupy large areas of public land, his law permitted the retention of 500 iugera per father and 250 for each son (around 125 hectares and 63 hectares, respectively). Plutarch preserves a tradition in which this generous concession ought to have seen off any hostility:

It seems that no milder or gentler law was ever drafted to deal with such injustice and avarice. For those men who should have been compelled to be punished for their disobedience, to pay a fine and to surrender the land which they illegally held, these men the law merely ordered, while receiving compensation, to abandon what they had unjustly seized and to admit those citizens in need of assistance.¹²

The law was publicly supported, moreover, by senior senators, including the ranking senator of the time, Ap. Claudius Pulcher (Tiberius' father-in-law), the consul and renowned jurist P. Mucius Scaevola, and Scaevola's similarly learned and influential brother, P. Licinius Crassus Mucianus (Gaius' father-in-law).¹³ "Scarcely revolutionaries," in the words of Stockton.¹⁴

Yet despite such establishment support and despite such generous concessions, the bill did not escape outrage. It was vetoed in a popular assembly by the tribune M. Octavius, so Tiberius had him stripped of his tribunate by popular vote. The senate used its control of the public purse to deny any funding to the policy's rollout, but just when obstructionism appeared to be crippling the land redistribution, the king of Pergamum bequeathed his kingdom to the Roman people, and Tiberius passed a law seizing the inherited treasure to finance his commission. Such an encroachment on the senate's control of diplomacy and finance was without recent precedent. As his tribunate progressed, Tiberius announced that he would run for a second successive tribunate, and those accusing him of tyranny (*regnum*) killed him in the voting assembly alongside an alleged 300 supporters.¹⁵ A series of moves and countermoves, therefore, beginning with Tiberius' unconventional decision not to present his law to the senate and moving through the senate's refusal to fund a law that had received the approval of the voters, saw the stakes escalate to the point of murder. The law remained in effect even after Tiberius' death, but his opponents had sent a clear message that such reform efforts would not be tolerated.

Ten years later, Tiberius' brother Gaius nonetheless held the first of two successive tribuneships in which he passed a sweeping range of reforms: he passed further agrarian reform, established the first regular program for subsidized

12. Plut. *Ti. Gracch.* 9.2.

13. Plut. 9.1 and Cic. *Acad. Pr.* 2.13. For a more comprehensive list of supporters, see Earl 1963, Astin 1967: 191–2, Stockton 1979: 27–8, Brunt 1988: 463–8, Martin 2012: 298–300.

14. Stockton 1979: 39. For the importance of "the omnipresent Scaevola," see Horvath 1994.

15. On the vindictiveness of the punishment, see Beness 2000.

grain in the city, built roads and colonies, set up new taxes, and more. The sprawling reach of Gaius' laws renders it impossible to reconstruct exactly how each measure was proposed or even the order in which they were approved, yet the hostility from his opponents is clear. They put up a cuckoo tribune who made outlandish promises in order to outbid Gaius, they accused him of tyranny, spread rumors of ill omens in a colony he tried to set up on the old site of Carthage, and finally had a consul crush him and his supporters with the use of foreign troops. The death toll this time was apparently 3,000.

Why such bloodshed? If there had been calls for revolution, if the Gracchi had themselves initiated the violence, or if the two had been complicit with foreign enemies, then the resort to such horrific slaughter would be understandable. Yet, none of this applied. On the contrary, any neutral reading of their programs would acknowledge at least a degree of reason, statesmanship, and even patriotism on the parts of the Gracchi.¹⁶ So where was the offense? Since so much of Gaius' career took place under the shadow of his elder brother's death, it is worth examining Tiberius' tribunate first. There has been no shortage of theories to explain why Tiberius did what he did—most of which arise directly from ancient sources that themselves struggled to explain what happened in 133—but the focus here is on the reaction of the opposition.¹⁷

Tiberius originally proposed just one law, and the others which he carried—the deposition of M. Octavius and the use of the Pergamene treasure for his land commission—were means to the sole end of his agrarian reform. Yet the seeds of Tiberius' destruction are not all to be found in the text of his *Lex Sempronia*. Tiberius' tactics also played a significant role in increasing tensions.¹⁸ Since each was read through the lens ground by the other, it is impossible to separate the law from the method, and it is therefore worth examining how the combination of statute and practice generated such frenzied anger.

Distribution of land had a long and storied past in the ancient world. As a way to equalize wealth, it was part of a Greek tradition reviled by the wealthy.¹⁹ As a way to reallocate conquered land, however, it was part of a venerable Roman tradition that had seen colonies and farms set up throughout Italy and as far afield as Spain.²⁰ The difference between these two perspectives largely lay in the source of land. Traditional Roman colonization had reassigned the territory of the recently conquered, and it is no doubt correct that part of Tiberius'

16. Ungern-Sternberg 2006: 249–50, Wiseman 2009: 184–5.

17. For surveys of factors and theories on Tiberius' goals, see Badian 1972b: 668–90 and Santangelo 2007b.

18. See esp. Badian 1972b and Spielvogel 2004: 392.

19. Plutarch paired his lives of the Gracchi with the Spartan reformers Agis and Cleomenes, whose reforms were highly controversial, and alongside Polybius, they contain much of the evidence. Accounts can be found in any standard treatment of Hellenistic Greece, but see also Fuks 1984: 250–5, Erskine 1990: ch. 6, Ungern-Sternberg 1998: 245–6, and the related rhetoric and politics surrounding Roman agrarian laws discussed at Arena 2012: 169–243.

20. See Tweedie 2011, with bibliography.

offensive novelty lay in the shift from spear-won domains to the seizing and reassigning of land already farmed by powerful Romans.²¹ Those who were losing land were now influential compatriots instead of conquered foes. Is this enough to explain such vehement hostility? Scholars have always understood that the Gracchi threatened the economic interests of the elite, but the conventional “hip-pocket” school—the simplistic view that the redistribution of public land would affect the finances of its erstwhile possessors—was never substantial enough to explain the magnitude of the imbroglio.²² As Plutarch noted, the confirmation of hundreds of iugera of public land as private property was a great deal for the occupiers, and it remains true that Tiberius’ enemies ceased their opposition to the land commission once the reformer himself was dead.²³ Land continued to be redistributed in the years following 133. If it was purely the loss of land that rankled, then it is odd that the opponents would be so determined as to kill a tribune but not so determined as to prevent the commission from reassigning fields.

Nor does Tiberius’ method alone suffice to explain the hatred he generated. The bill was backed by the highest caliber of leaders—luminaries who “had as good a claim as any other group of men to represent the Roman ‘establishment’ of their day.”²⁴ Cicero, no fan of the Gracchi, described Scaevola and Mucianus as “the wisest and most distinguished brothers,” and as Yakobson has pointed out, “such men could be relied upon not to introduce pernicious innovations.”²⁵ These were no revolutionaries, and any reconstruction of Roman politics that relies on the status and moral authority of the leaders to bestow legitimacy will have no trouble explaining how and why the agrarian law was accepted by so many.²⁶ With so much credibility between them, the bills’ proponents no doubt failed to foresee just how controversial their proposal would prove. As such, the bypassing of the senate must not have been an outright declaration of hostility, since such a move would concede that their enterprise lacked the conventional authority they could legitimately claim to bestow upon it. Instead, the dangerous innovation proved to be Octavius’ insistence that a tribune of the *plebs* could veto a vote of the people themselves, and this unexpected obstinacy provoked such destructive determination on Tiberius’ part that he was willing

21. Tibiletti 1950: 195, Stockton 1979: 39, and Tweedie 2011: 473.

22. Boren 1961: 358–9, where the term “hip-pocket” is used. The principle was not unknown to the Romans: see Lucr. *De Re. Nat.* 5.120–2, with Wiseman 2010: 36–7. See the more sophisticated version of the “hip-pocket” thesis at Spielvogel 2004: esp. 389–92. Characteristically, De Ste Croix 1981: 337 gives the most impassioned rebuke of these greedy oligarchs.

23. Tweedie 2011: 473.

24. Stockton 1979: 78.

25. Cic. *Acad. Pr.* 2.13, with Yakobson 2010: 289–90. On the various complexities of political trust, see the discussion of the “cross-currents of authority” at Morstein-Marx 2013a: 38–9.

26. So, for example, Hölkeskamp 2010: esp. 29–30 and Morstein-Marx 2004: *passim*, though esp 172–5 on the debate over the *Lex Sempronia*.

to override the senate's traditional domain of finance and diplomacy by seizing the treasury of Pergamum.²⁷ But all of this raises the question of why Octavius was so immovable in the first place, and of why the senate insisted on blocking all funding to Tiberius' legally established commission. If indeed it was the dissenters who first elevated the episode to something extraordinary, they must have perceived an unusual threat. Individual Roman leaders had defied the senate on numerous occasions throughout the second century, but none met Tiberius' fate.

In both its substance and its method, the redistribution of public land must have been representative of something larger and more chilling than the simple loss of farmland or the novel use of a legislative method. Since, moreover, Tiberius' supporters failed to foresee the extent of the coming controversy, the threat posed by Tiberius was apparently not obvious. How could such violence have been so unforeseeable? The reason was that, despite the degree of socio-economic transformation since the Hannibalic War, there had been little attempt to manage all that change, to address it, or to agree on what it all meant or how it should all work. Consensus had not kept pace with circumstances.²⁸ Following the destruction of the Macedonian kingdom in 167, Romans had ceased to pay *tributum*, provinces had provided enough for the treasury never to have to worry about paying its bills, and mines were providing more than enough metal to mint coins. The fiscal straits of the Second Punic War were far in the past and the Roman people were now wealthier than earlier generations could ever have imagined. The senators' general policy in managing this public bounty was to embrace it only hesitantly.²⁹ They consciously eschewed the opportunity to raise more money for the treasury, and as I argued in chapter 1, this meant that the wealth of the state lagged behind that of private estates. The guiding principle of managing the new empire was, in other words, to decentralize profits of the empire into the hands of many private actors.

This can even be demonstrated with respect to the specific issue of public land. In 173, a consul, L. Postumius Albinus, was sent to establish the borders between public and private land in Campania, since it was well understood that over some four decades neighboring landowners had been steadily encroaching on the public domain. In fact, it emerged that the state had never bothered issuing leases for this land and so farmers understandably began to employ it themselves. Postumius recovered "a great part" of the *Ager Campanus*, and the censors finally issued leases to farm the land.³⁰ It is a feature of Plutarch's account, however, that subsequent censors neglected to renew these leases, and

27. Badian 1972b: 700–7; Stockton 1979: 62–4, 78–80 (who refers to Octavius as the "joker in the pack"); Perelli 1982: 91; Wiseman 2004: 189–93 and 2009: 185–7; and the lengthy treatment at Märtin 2012: 323–67.

28. Hölkeskamp 2010: 21–2.

29. Spielvogel 2004: 385, 392.

30. Livy 42.1.6, 19.1–2.

so the occupants could continue using the land without contributing to the treasury's revenues.³¹ Given the chance to maximize the exploitation of public property and to draw a steady revenue stream from leases, the state's agents—in this case, the censors—failed to do so. This was extreme neglect of the state's claim to its own property, and it obviously worked out well for private occupants.

Such a policy, however, was not the only conceivable one. As Hopkins points out, all this new wealth would inevitably force the Romans to decide how it was to be allocated, even if the debate seems to have been successfully stalled for much of the mid-second century.³² Cicero would later define the *res publica* (the commonwealth) as the *res populi* (the people's property), and this conception was not without heritage.³³ For centuries Rome had been like most other ancient city-states, with citizens contributing much of the public wealth themselves through taxes and conceiving of the treasury's holdings as their own. Thus, *tributum* could be returned to the citizens on the grounds that it was theirs to begin with, and even Gaius' opponents could use this rhetoric to claim that he was giving away *their* property though public spending.³⁴ When the treasury relied on citizens' taxes and the leases on their communal property to raise its revenues, it made sense to argue that public property was the people's to hold and to use. What happened, however, once Romans stopped paying direct taxes? What happened when Roman foreign affairs, for the most part deftly managed by the senate, fueled the treasury? These new riches had never been part of the people's property before because they had not existed. Could the people exercise the same claim over the property of the state now that they were no longer contributing to it? Even if they had a moral right to it, moreover, would this still carry the same weight with the ruling elite, given that it continued to pour in with or without the consent of the citizenry? The incentives for adhering to this populist view were no longer as pressing as they had been.

On the one hand, therefore, the people's wealth had grown, but on the other hand, their claim to it had weakened. Nobody had outlined a compelling theory that addressed how this new reality ought to work in practice, and hence there was great room for ambiguity, misreading, and miscalculation. Silence had allowed various "deviant elements," often mutually exclusive, to emerge in people's understanding of how society operated.³⁵ This silence allowed Tiberius

31. Plut. *Ti. Gracch.* 8.3.

32. Hopkins 1978: 90. On the aristocratic control of what could *not* be discussed or politicized, see the important discussions at Meier 1980: 54 and Hölkeskamp 2010: 39–40.

33. Cic. *Rep.* 1.39.

34. Cic. *Tusc.* 3.48. See later for discussion.

35. The growth of deviant elements was accelerated by shifts in legal ideology, for which see Horvath 1994. My framing of this issue has been strongly influenced by Crouch & Keune 2005, which understands any "given institutional system to be heterogenous" and emphasizes "the need to accept that space must be left for elements that do not 'fit,' that might actually contradict any overall system logic." These surplus practices and concepts allow reformers to promote preexisting but unimportant factors to prominence to effect change without having

and his supporters to assume that their view—that the people had owned and enjoyed public property in the past and should continue to do so in the future—was far less controversial than it in fact was. Furthermore, Tiberius implied, the reasonable means to distribute the common property was through statute.³⁶ His opponents, however, could cite their own traditions. Rome had a long (though sometimes inconsistent) habit of resisting the state's interference in private affairs. There was, moreover, obvious inertia in a practice that had allowed people to occupy so much public land in the first place, and that rendered the reassignment of such long-held farms a breach of recent custom. The justice of each position seemed self-evident. In reality, these two approaches were mutually exclusive—at least in the case of the *Lex Sempronia*—and it is likely that Tiberius' notion of just distribution had been submerged by the recent practice of laissez-faire enrichment. To reactivate it as the central premise guiding the allocation of resources was not to import or devise some innovation in Roman politics, but it was still a shock to those accustomed to—and well-served by—a different and recently dominant alternative. The dissonance sprang from the Romans' inability or unwillingness to confront the problem of resource allocation—in this case, to manage the vast domains of public land—or to address the issue of how wealth ought to be assigned in this new imperial age.³⁷ When Tiberius primed the state to enter the fray and begin redistributing lands, he could portray himself as part of a centuries-long tradition of popular ownership of public resources, but he seems surprised at the vehemence with which others saw him as defying decades of recent practice.³⁸

He was not, after all, the first to propose that the state use public resources to improve the lot of the Roman people. Though very little is known of it, C. Laelius

to invent anything new or import anything from outside society. Streeck & Thelen 2005a: 20–1 refer to this process as “displacement through defection.”

36. On the use of legislation, see Horvath 1994. On the ideological aspect, see Ferrary 1982: 750–4, with Hellegouarc'h 1963: 556–7, where the concept of *commodum* is embedded within the domain of *libertas*. On non-elite views, see the suggestions at Veyne 1990: 241.

37. The novelty may have been even greater if two recent arguments are correct. Rich 2008a has argued that Tiberius cited precedent in a preexisting ban on the ownership of any land beyond the 500 iugera limit he was imposing on public land. If Rich is right, then even the mere whiff of this old law might have provoked fears that a much more severe redistribution of property was in the offing. Tweedie 2011 has argued that Tiberius' law was actually designed to settle veterans from the Numantine war. The lowering of the property qualification may have changed ideas about what the troops deserved, since these were less likely to be respectable landowners from upper voting classes. There seems not, for example, to have been a tradition of settling poor rowers from the fleet on farms, and so providing land to the indigent may have been a step too far from tradition. It is not clear, however, that Tweedie's reconstruction is the right one. Her arguments are eminently sensible, but if veteran settlement were indeed the goal, the absence of such a respectable motive from the pro-Gracchan parts of the source material would make little sense. Why would his supporters not remind us that his motivations were so uncontroversial and virtuous?

38. There are two background issues worth considering but that fall beyond the bounds of this chapter. One aspect of the controversy is echoed in the debate over what is “just” (*iustum*) and what is “equitable” (*aequum*) between Diogenes of Babylon and Antipater of Tarsus at Cic. *Off.* 3.50–7 and 91–2, for which see also Erskine 1990: 152–5. A second is the sharpened notion of state intervention entailed by a jurisprudential revolution under way at the time, for which see Horvath 1994.

had proposed an agrarian law that was apparently not dissimilar to Tiberius'.³⁹ C. Curiatius similarly agitated as tribune in 138 for the state to import more grain—or divert more of its grain tribute—to alleviate rising prices in the city, and his opponent in the debate was none other than P. Cornelius Scipio Nasica, the man who would later lead the killing of Tiberius.⁴⁰ Curiatius was presumably asserting that the empire's profits belonged to the Roman people and ought to be deployed for the people's benefit, much as Tiberius would claim.

Yet there was obviously something different about the fatal events of 133. Tiberius' novel threat lay perhaps in his rhetoric. There is no extant speech from Curiatius, so it is impossible to contrast the two approaches, but Tiberius' skill as a speaker is universally attested. He was fortunate to have trained at the feet of an oratorical master, Diophanes of Mytilene, whom Cicero praises as Greece's most skilled speaker of the day.⁴¹ Oratory at this time was becoming a more practiced skill at Rome, with orators employing more frequent and more powerful devices to manipulate audiences, and Tiberius was embedded in this shift. Though he never reached the heights attained by his brother—or those he himself would have achieved had he lived longer—Cicero nevertheless describes him as *summus orator*.⁴² Such skill was deployed in the name of his reform agenda. If Curiatius' call for grain imports poked the problem of who ought to benefit from the public purse, Tiberius' speeches launched a broadside at it. He focused on the plight of the poor in describing a Roman people "descended little by little into poverty," and then mustered every drop of pathos he could:⁴³

The beasts dwelling across Italy have dens, and there is a lair for each of them to settle down in; but although to those who fight and die for Italy there is air and light, they share in nothing else. Homeless vagabonds, they wander with their wives and children. Their generals con them as they call on them in battles to defend their ancestors' burials and their shrines from enemies, for no Roman has a family altar, none an ancestral tomb, but they fight and die for the wealth and decadence of others. They are called masters of the world, yet not a single one possesses a clod of earth.

Tiberius turned economic inequality into a heartrending ethical issue, in which the poor were robbed not merely of material advancement but also of the means to dignity, piety, and survival. All this may well have been part of a plan to increase the number of Roman soldiers—a point central to Appian and to so

39. Plut. *Ti. Gracch.* 8.

40. Val. Max. 3.7.3, with Garnsey & Rathbone 1985: 22.

41. Cic. *Brut.* 104; Plut. *Ti. Gracch.* 1.3.

42. Cic. *Brut.* 104, as well as App. *B Civ.* 1.9. See also Flower 2013 for the importance of other communication networks in disseminating Tiberius' message.

43. App. *B Civ.* 1.11; Plut. *Ti. Gracch.* 9.4–5, with Ungern-Sternberg 2006: 246–7.

much modern scholarship—but in deploying his rhetoric in such inflammatory ways, Tiberius was picking fights that Laelius, Curiatius, and other recent leaders seem to have avoided.⁴⁴ Even Appian, whose emphasis on population size is central to our understanding of Tiberius’ motivations, has Tiberius’ arguments slide from the almost technocratic concern with population size to the more philosophical, rhetorically charged issue of ethics:⁴⁵

“Gracchus had turned his mind not to wealth, but to manpower, and – so enthralled by the benefits of his project and convinced that Italy could never experience anything better or more brilliant – he was blind to the difficulty surrounding the plan. With the voting at hand, he laid out many other alluring points at great length, and asked them again and again whether it was not just that the common property be distributed in common, whether a citizen was not always more legitimate than a slave, whether a soldier was not more useful than one who does not fight, and whether a partner was not more devoted to the common good. Not continuing with these comparisons for long, since they were degrading, he explored in detail the hopes and fears of the fatherland, how they held most of their land by force thanks to war, how hoping for the rest of the world they would risk it all, so that they would either gain the remainder through healthy stocks of men, or be stripped of all this by their enemies thanks to weakness. After magnifying the reputation and wealth of one side and the danger and fear of the other, he advised the rich to consider these things. Bearing these ambitions in mind, they should give away the land freely from their own means to those with children if necessary, and not, by bickering over small things, to overlook the greater. At the same time they held fair compensation for investment in the form of guaranteed title to 500 iugera each of choice land at no charge and, for those who had sons, half as much per son.

At least in Appian’s retelling, Tiberius’ pitch keeps its eye on the issue of manpower and military success, but he makes it an ethical issue on the part of the landholders. He knew that the wealthy would offer various arguments to defend their occupation of public land: holders had invested money in those fields, or had bought them thinking they were private; they had buried ancestors on them or used the land for dowries or as security on loans.⁴⁶ There is little

44. For recent discussion and bibliography of the demographic question, see Santangelo 2007b on earlier material, De Ligt & Northwood 2008, De Ligt 2012, and Hin 2013.

45. App. *B Civ.* 1.11.

46. App. *B Civ.* 1.10, with Ferrary 1982: 751–2. Cic. *Sest.* 103 adds the intriguing argument that the eviction of the wealthy stripped the *res publica* of its champions (*propugnatores*). This presumably would have made a flourishing aristocracy a part of the imperial project no less necessary than a healthy stock of soldiers. Unfortunately, the line seems to reflect Cicero’s needs in the *Pro Sestio* more than contemporary anti-Gracchan rhetoric.

to suggest that he had much sympathy. Although his law allowed the current occupiers to retain free of charge 500 iugera of prime farmland each, plus 250 per son, the thrust of his counterargument is that they should be willing to relinquish the land with or without compensation. Appealing to fair reparations only validated the claim that the *res familiaris* (the household's concerns) was of equal importance to the *res publica*. Instead, Tiberius argues, the collective fate—even the fate of the imperialist mission—hinged on the question of who won and who lost in the distribution of land. Relinquishing public land became a test: Would the rich sacrifice for the good of all? By prioritizing the greater collective's interests over their own personal riches, they could do their part to make Rome successful—that is, to create the conditions needed to conquer the world—but if they did not share the wealth, they would be to blame, as citizens would be left destitute, legions would become undermanned, and enemies would arrive to pick off a tottering Rome. Tiberius, in other words, claimed that elite enrichment came at the expense of the Roman people's health and the viability of the hard-won empire.

There is, thus, an emphasis on collective utility throughout. The prioritization of the community underpins the entire speech: soldiers were only “more useful” (*chresimoteros*) than slaves because they contributed to the entire Republic rather than to particular estates; he emphasized the “hopes and fears of the fatherland”; he linked the issue of landholding to Rome's overall ability to retain and expand the empire. His ethical arguments became outright denunciatory when he claimed that generals conned their troops into fighting for the wealth and decadence of the elite. Gracchus' principle in all this is that only those who subordinate themselves to the interests of the community are praiseworthy, and in failing this test, too many prominent Romans were jeopardizing the future of Rome. Distribution of resources was not, therefore, just an issue of who held what land. It was embedded in ethics, and even in patriotism. To defy Tiberius was to assert that the rich man's personal interest was worth more than Rome's communal fate, and in this, his rhetoric threatened to burst from the defense of a single measure to an entire ideology.

Many of the ethical and philosophical aspects of Tiberius' tribunate have been well studied before, but it needs to be emphasized that these points touched nerves not merely because they attacked elite interests but also because they (intentionally or unintentionally) established a working principle for the distribution of resources in the future.⁴⁷ Politics, as Nettl describes it, is “the one social area of normlessness,” in which competing sets of elites, instead of looking to implement or deviate from norms, try instead to establish them.⁴⁸

47. On the ethics and the possible influence of a democratic strain of stoicism, see Nicolet 1965 and Erskine 1990: ch. 7.

48. Nettl 1968: 588.

This was rare in Rome, where consensus enveloped so much of what was—even could be—discussed.⁴⁹ The transition from city-state to empire, however, begged for new norms. Unsolicited, Tiberius thrust one vision into the public realm. By linking land distribution to such important and irresistible issues as military success and citizen livelihoods, Tiberius was asserting that the public's entitlement to resources was primary, and that private interests had to be secondary. Was it not just, after all, that the common property be distributed in common? The threat posed by Tiberius was that this law would establish a consensus that both regulated and relegated elite enrichment. The threat lay not in this individual law—Tiberius' enemies did not oppose the redistribution once the reformer himself was dead—but in the vision of a strong, robust *res publica* with first claim to the riches on offer.

Tiberius seems not to have anticipated just how bestial a specter he was conjuring in this, probably because the topic had not been adequately explored before 133, and so there had been too few occasions for people to formulate or air their competing claims. He radically underestimated the universality of his assumptions. To understand exactly why his vision was so appalling to so many other members of the elite, it is worth examining the logical extensions of his philosophy if applied more broadly. Gaius provides just such a vision.

GAIUS, THE STATE, AND THE ARISTOCRACY

There is no space here to deal with the murky, fascinating years between Tiberius' tribunate of 133 and Gaius' first tribunate of 123. Suffice to say that by the time the younger Gracchus entered office, he had conceived of a broad and impressive program from road building and colonies to the implementation of a regular grain dole and the establishment of a grand tax farm in the province of Asia.⁵⁰ Behind all this was an obsession with Rome's finances.

Gaius Gracchus was never unknown to the Roman people. Although he spent almost his entire adult life serving overseas, he was the scion of eminent families, he was the brother of the late tribune of 133, and he was a member of his land commission. Gaius could never have escaped a public profile.⁵¹ When

49. The recent bibliography on this topic is long and impressive. Much of the foundation was laid by Meier 1980, but see also the collected papers at Jehne 1995, plus Jehne 2000a, Jehne 2001, Jehne 2002, Flaig 2003, Hölkeskamp 2010, and the collected papers at Hölkeskamp 2004a, as well as Laser 1997 and Morstein-Marx 2004 on public communications. A potentially useful conception is that of the "capstone government" at Crone 1989: 57, which excels at preventing action but is weak at executing any reform.

50. The full legislative program is daunting and difficult to reconstruct with total accuracy. For surveys, see Stockton 1979 and Lintott 1994.

51. See Diod. Sic. 34.24 on his rousing return from Sardinia, and Plut. *C. Gracch.* 2–3 on the establishment's wariness of him. Plutarch *C. Gracch.* 1 claims that Gaius withdrew from public life after 133, but this seems an exaggeration. Plutarch himself has Gaius publicly interrogating Scipio Aemilianus and wowing his audience during a defense of C. Vettius (Plut. *Ti. Gracch.* 21.5 and *C. Gracch.* 1.3). Livy *Per.* 59 records a speech of Gaius' urging the acceptance of a *Lex Papiria* in 131. He also delivered a speech on the expulsion of foreigners in 124 or 126 (*ORF* s.v. *C. Sempronius Gracchus* n. 22; Stockton 1979: 218). Plutarch's impression of a

Gaius finally arrived on the Rostra, he revealed himself to be the finest of orators and promptly trained his sights on the issue of public money.⁵² Attacked for returning from Sardinia despite the proroguing of the proconsul, Gaius launched into a forceful defense of his own conduct, and at the heart of the surviving fragments is his impeccable respect for the public purse and his total disregard of personal profit:⁵³

I operated in the province in such a way that no man can say that I accepted an *as* or more in bribes, or that anyone incurred any expense because of me. I was in the province for two years. . . . And so, citizens, when I returned to Rome, purses which were full of silver when I set out, were empty when I returned from the province. Others set out with amphorae full of wine, but brought them back full of silver.

He pointed out that he had already stayed in Sardinia for a year longer than was required, and that he had served in the army for twelve years instead of the usual ten, but much of the focus here is on his refusal to make a profit. Gaius, like his brother before him, was claiming the moral high ground by insisting that any private interests be subordinate to public duty. He also followed Tiberius' lead in incorporating accusations that his rivals fell short of his own rectitude, and his *repetundae* measures—reforms to crack down on profiteering governors, which are discussed later—fall in line with this same moral claim.

Gaius would go on, however, to announce even more forcefully—and certainly more fully than Tiberius ever managed—a program of personal devotion to the community. In doing so he would eloquently outline his view that, although he himself was patron of the treasury, the public resources were indeed the people's to possess and control: "I myself, who speak before you in order that you may grow your revenues and thus more easily administer your bounty and the *res publica*, do not come before you for free; it is not, however, money that I seek from you, but a good reputation and honours."⁵⁴ Gaius' Latin bludgeons the audience with the second-person "you" and "your" (*vos* and *vester*) in ways that cannot be captured in English, yet opens with the intensive "I myself" (*ego ipse*). He does not consider the public wealth to be his in this

reclusive Gaius probably stems from his physical absence from Rome, first during his military service and then as quaestor in Sardinia. Stockton 1979: ch. 5 gives an excellent account of these "inter-Gracchan" years.

52. Cic. *Brut.* 125–6 contains the most striking panegyric of his oratorical talents, with Tac. *Dial.* 19 and 26 on the force of his speaking.

53. ORF s.v. *C. Sempronius Gracchus* n.27, 28, from Gell. *NA* 15.12.3–4. See also Stockton 1979: 218–9.

54. ORF s.v. *C. Sempronius Gracchus* 44: *Ego ipse, qui apud vos verba facio, ut vectigalia vestra augeatis, quo facilius vestra commoda et rem publicam administrare possitis, non gratis prodeco; verum peto a vobis non pecuniam, sed bonam aestimationem atque honorem.* On the term *patronum aerarii*, see Cic. *Tusc.* 3.48. The emphasis on "*vester*" through out the speech is also in Sallust's speech of Macer (Sall. *Hist.* 3.34.6 McGush.), where the *nobiles* "*arcem habent ex spoliis vestris.*" See also *Hist.* 3.34.20–1 McGush. on the people receiving corn that is already theirs.

formulation. Instead, separate and without ownership of the treasury, Gaius is a mere servant of the people. Of course, this only heightens his altruism. He would not control a thing or, beyond a good reputation, gain a speck. All this was done so that the people might more easily enjoy their estate. Gaius claims for himself a selfless fixation on the public's primary entitlement to wealth. The entire program revolves around a class of sacrificing stewards who might aid the people in controlling and enjoying the *res publica* for themselves, since it was theirs to use and they had full right to administer it as they saw fit: "What could be more just," he asked, "than that a poor population live off its own treasury?"⁵⁵

Gaius insisted, however, that he was no spendthrift.⁵⁶ He still charged recipients for the grain he distributed—albeit at a low price—and he limited the amount that each citizen could purchase.⁵⁷ To sustain his program, Gaius increased the state's revenue streams. When he revived his brother's program of land allotments, he required that recipients pay a rent to the treasury.⁵⁸ He also instituted new *portoria*, though we are unfortunately not told where or even on what scale. He required those who were fined under his extortion law to pay part of their fines to the Roman people.⁵⁹ Most famously, he established a tax farm in the province of Asia, which was certainly the most significant fiscal event of his tribunes.⁶⁰ The Romans had possessed Asia since the death of its last ruler (Attalus III), in 133. A war to pacify the area prevented the immediate institution of a provincial structure, but even after the end of hostilities, there appears to have been no attempt to set up a regular tax system. Contractors were in Asia as early as 129, but their domain was probably limited to collecting rents on the old royal estates.⁶¹ No true tax system was imposed before Gaius, and although the value of the revenues is impossible to calculate, the new tax farm indicates

55. Flor. 2.1, probably reflecting Gaius' wording, with Wirszubski 1950: 45–6 and Ungern-Sternberg 2006: 260–1.

56. On his fiscal rectitude, see Badian 1968: 45–9, Ferrary 1982: 753, Perelli 1982: 99, Meijer 1990: 16.

57. Veyne 1990: 240.

58. Plut. *C. Gracch.* 9.2, where his opponents "outbid" him here by proposing land distributions that were rent-free.

59. Sherwin-White 1982: 28.

60. The *portoria* are recorded at Vell. Pat. 2.6, and *MRR* contains all the many references to the Asian tax farm.

61. Assuming that Sherk, *Augustus*: no. 12 dates from 129. The point that *publicani* are probably collecting rents from the public lands (and thus unaffected by the *Lex Sempronia* on the Asian tithe) is made at Badian 1972a: 60 and accords with the claims at App. *B Civ.* 5.4 and perhaps also to Lucilius' reference to Asian *scripturae* at Lucil. 67. If Marx. See also Daubner 2006: 204–26 and now Wallace 2014 on the distinction between collecting tax revenues and collecting rents. The clearest treatment of the issue remains Broughton 1938, but see the debates between *inter alia* Magie 1950: 1055–6; Sherk, *Augustus*: no. 45; Mattingly 1972; Badian 1972a: 60–3; Kallet-Marx 1995: 112–5, 118–22; Merola 2001: 24–54; and Daubner 2006: 204–36. Others have assumed that the inscription shows a general tax system predating Gaius' tax farm, and have built cases upon this error. See, for example, Perelli 1990: 247–52. For a concise overview of Rome's interactions with Asia in this period, see Mitchell 1993: 29–30.

at the very least a strong effort on Gaius' part to maximize the treasury's annual income.⁶²

He perhaps thought that, so long as he instituted adequate new revenues, he could protect himself from the charge of fiscal recklessness, but there is no doubt that part of the war against him was fought over this issue of excessive expenditure. By Cicero's time, there was a tradition that Gaius' tribunate represented the wasting of the treasury, and this clearly reflects contemporary opposition:⁶³

And indeed Gaius Gracchus, although he had effected the greatest hand-outs and drained the treasury, nevertheless used to defend the treasury in his speeches. Why should I listen to his words when I can see his deeds? L. Piso, the one called Frugi, had always spoken against the grain reform. Although a former consul when the law was passed, he had come to receive grain. Gracchus noticed him standing in the crowd and, with the Roman people listening, asked, "what sort of consistency is this, when a man wants grain under a law against which he himself had argued?" "Gracchus," he replied, "I wish you did not want to divide my goods man by man, but should you do it, I will seek my share." Is it not enough for you that this influential and wise man declared that the public patrimony was frittered away under the Sempronian law?

If it is true that Gaius raised less than he spent, it clearly was not for lack of trying. His rhetoric of fiscal probity was matched by his efforts to increase Rome's revenues, but there were two angles from which to attack his policies. The first was for his opponents to co-opt his rhetoric and to object that, as citizens, they would refuse to allow him to spend "their" resources. Those who disapproved of the program or who were ineligible for benefits—perhaps rural residents who did not receive the urban grain dole—still would share in its expense. Thus, Piso can turn Gaius' rhetoric on its head as he claims that *his* property is being "frittered away" on Gaius' grain dole. If Gaius was right that it was the people's grain and that the people could decide how to administer their own patrimony, then

62. On the fiscal significance of the Asian tax farm, see Cic. *De imp. Cn. Pomp.* 14, 19; Cic. *Leg. agr.* 2.80; Cic. *Att.* 9.13.4, with Kay 2014: 83 and 331. Estimates of revenue vary wildly. At one end, Kallet-Marx 1995: 117–20 provides a well-argued case that revenues were unimpressive until Sulla. Much of the argument, however, rests on an overly optimistic reconstruction of locals' happiness with Roman tax farmers; Asia's leaders were never going to record failed attempts to remedy abuses, so the epigraphic record was always going to create an impression of benevolent Roman administration. Nor are complaints necessarily relevant; a tax system in such a wealthy province can be run justly and lucratively at the same time, and the locals may not have been sure how to respond to abuses from their new, very powerful masters. Reconstructions of greater revenues can be found at Broughton 1938: 562–8, Badian 1972a: 63–4, Brunt 1988: 153–4, Veyne 1990: 240–2, and Daubner 2006: 222. The number of free cities in Asia probably did, *pace* Kallet-Marx, reduce the potential haul from Asia, but on a proportional level—that is to say, compared to the low revenues prior to 123—the addition of this famously wealthy province must have changed the nature of Rome's overall finances. As an indication, see the discussion of Pompey's figures for state revenue in chapter 1; it is clear that the West alone could not offer anything like what the East could.

63. Cic. *Tusc.* 3.48. See also Cic. *Sest.* 103.

Piso was right that, as a citizen, he was entitled to prevent its redistribution. Implicit in Piso's criticism—and Cicero reveals his understanding of this when he upgrades Piso's "divide man by man" to "frittered away" or "squandered"—is the accusation that there will be none left, and that Gaius' fixation was more on spending than on raising revenues.⁶⁴

The state of the ledger, however, was not the only way to attack him and his agenda. Perhaps because they could not find deficits to criticize, some of his contemporaries chose to question what Gaius hoped to gain from all this new spending. C. Fannius, consul in Gaius' second tribunate, argued that the deployment of the treasury revealed tyrannical aspirations: "If for Phalaris, Peisistratus and all others, it was largesse alone which more than anything else established tyranny, why is it that you do not believe Gracchus to be aiming at the same thing, when you see him doing what they did?"⁶⁵ Fannius, perhaps unable to point to an irresponsible deficit, made the case that the only reason a leader would want to deliver public goods of these kinds would be to seize sole power through popular support. Whether Fannius believed this is ultimately unknowable, but it is worth pointing out that no attempt was apparently made to argue against the utility of Gaius' programs.⁶⁶ Instead, a case was made that, because of their obvious popularity, these programs invited *dominatio* (tyranny).

How exactly did Gaius' programs lay the groundwork for tyranny? The most obvious connection—and that conjured by the names of Phalaris and Peisistratus—was through an armed coup: with a large enough body of motivated supporters, Gaius could take Rome by force. This, however, was surely not the crux of the matter. The idea that Gracchus envisioned either a Syracusan- or a Peisistratid-style tyranny at Rome is given short shrift in the narratives of Appian and Plutarch, and must have been hard to believe for the many aristocrats who had grown up with their Gracchan enemies as peers and comrades. Instead, tyranny entailed the loss of a different and very specific form of aristocratic liberty (*libertas*).

64. Cic. *Sest.* 103 rewords the charge again—though absent of Piso—when he refers to the treasury being "drained" or "exhausted" (*exhauriri*) by Gaius' grain law.

65. ORF Fannius 7, noting the juxtaposition of *largitio* and *dominationem*: *Si Phalaridi et Pisistrato et ceteris omnibus una res maxime, largitio, dominationem comparavit, quid est, quod non idem Gracchum adfektare credatis, quem eadem quae illos facere videatis?* See also ORF Fannius 6 and Oros. 5.12. This tradition also exists in Diodorus Siculus, who appreciated the history of Sicilian tyranny better than most Romans (Diod. Sic. 35.25).

66. Ungern-Sternberg 1988: 183. The senate even chose to steal Gaius' thunder by outbidding him (Plut. *C. Gracch.* 9–10; App. *B. Civ.* 1.23). It is sometimes difficult, however, to identify which of his opponents' policies were motivated by outbidding and which were simply business as usual: see, for example, Burkhardt 1989. Importantly, Polybius considered control of the purse strings to be central to the oligarchic third of the constitution, and the loss of it would understandably be seen as destabilizing the much-lauded constitutional balance of the Republic (Polyb. 6.13–5, with Arena 2012: 81–116). Morstein-Marx 2013b: 2, however, makes the excellent point that, in deposing a tribune, Tiberius was doing little more than fulfilling the role of the tribune as envisioned in Polybius' account of the mixed constitution.

There was no official definition of *libertas* at Rome, but P. Cornelius Scipio Aemilianus offered a contemporary version that reveals how at least one section of the aristocracy conceived of *libertas*: “out of integrity comes respect, out of respect comes public office, out of public office comes the right to give commands (*imperium*), and out of the right to give commands comes *libertas*.”⁶⁷ This notion of *libertas*—and there are not many others from the second century⁶⁸—does not fit particularly well with recent modern studies of *libertas*, which, rightly emphasizing the ubiquity of slaves at Rome, have come to define *libertas* as the absence of “arbitrary domination.”⁶⁹ Aemilianus’ quote instead conceives of a more positive, more assertive *libertas*, one more akin to a form identified by Brunt: “a man was most free when he had the fullest right to enforce his own will,” and so “dominion over others was an extension of freedom.”⁷⁰ Aemilianus’ *libertas* is a rare commodity. Specifically aristocratic and unmistakably born of a hierarchical environment, it elides the rights of persons and institutions by construing the aristocrat’s privilege to wield the powers of the state as a reflection of personal worth and a *sine qua non* of personal *libertas*.⁷¹ On the one hand, it demands that the individual have the opportunity to reap the rewards of his own virtues. On the other hand, the individual’s rewards could not exist without *imperium*, a construct of public law that gave teeth to elected office and that allowed senior magistrates to impose on citizen soldiers all the punishments (including corporal) of military discipline.⁷²

Aristocratic *libertas*, if Aemilianus’ statement is any guide, could not be separated from the assertive notion that a worthy leader ought to enjoy a certain

67. ORF Scipio Aemilianus 32: *ex innocentia nascitur dignitas, ex dignitate honor, ex honore imperium, ex imperio libertas*. For the semantics of these terms, Hellegouarc’h 1963 is fundamental and for their socio-historical relevance, Hölkeskamp 2010: 48–52 is an essential starting place. Wallace 2009: 175 argues that *libertas* should here be translated as civic standing, but this surely understates the actionable powers Aemilianus was claiming by making *libertas* dependent on *imperium*.

68. One near-contemporary reference comes from ORF M. Porcius Cato 252: “It should be fitting for all to enjoy rights, the law and *libertas*: glory and recognition as each creates for himself (*iure, lege, libertate, re publica communiter uti oportet: gloria atque honore, quomodo sibi quisque struxit*). Cato here conceives of *libertas* as a universal privilege of citizenship, and hence far more broadly enjoyed than Aemilianus allows. Yet Cato is still grappling with the fundamental tension between civic equality and aristocratic exceptionalism. In that sense—that it is fair for the worthiest individuals to enjoy greater privileges than the rest—he is reflective of Aemilianus’ basic philosophy of unequal distribution of privilege. “Recognition” could instead be translated as “elected office,” as at Kenney 1982: 155, though it is a less obvious reading. See OLD s.v. “Honos” 1b.

69. Roller 2001: 221 (see also 228): “the condition of being not-a-slave.” Arena 2012: 8: “a status of non-subjection to the arbitrary will of either a foreign power or a domestic group or individual.” Arena’s dual categories of foreign and domestic reflect those set out at Wirszubski 1950: 4–5. I should be clear that, though pairing Roller and Arena, I am not claiming that arbitrary power and slavery are necessarily synonymous. Arena in particular is heavily influenced by the so-called Republican school of political theory, for which see Pettit 2008 and Skinner 2008—the clearest and most concise expositions of the school that I know of—with bibliography and amid a series of excellent contributions.

70. Brunt 1988: 312.

71. Wirszubski 1950: 39, Meier 1980: 46–7, Ando 2011: 67–8.

72. On punishment and *provocatio* in camp, see Lintott 1972: 251 and the more extreme reconstruction of De Libero 1998.

freedom of action with respect to public institutions and his fellow citizens—indeed, to any aspect of life related to higher office (*honor*) and *imperium*. The notion that executing state functions makes one free would no doubt seem a cruel joke to many base-level officials of the modern nation state, but it perfectly expresses the monism of state and society that Meier identified and emphasized.⁷³ The *libertas* envisioned by Aemilianus prioritized the leader's personal autonomy over the institutions. One problem posed by the Gracchan reforms, however, was that they envisioned a standardization and centralization that reversed that priority, and it was here—where stronger state programs constrained the magistrate's freedom of action—that Gaius threatened *libertas* and hence could be construed as establishing tyranny.

Take, for instance, Gaius' grain law.⁷⁴ This measure certainly did not invent the importation of food to Rome, but it abolished earlier procedures. These procedures can be reconstructed thanks in large part to an inscription from Thessaly. Dating to 129, the decree preserves an order for Thessalian cities to deliver grain for export because a Roman aedile, Q. Metellus, had requested contributions to relieve a shortage in "the land of the Romans." It shows that in response to this shortage—the causes are left unspecified—Metellus gave a speech in which he recalled his ancestors' services to the Thessalians, requested grain, and had the locals agree that they would export what they had and assume the costs of transportation.⁷⁵ This sort of ad hoc response was typical of the Roman state's approach to the challenge of supplying sufficient grain. Garnsey and Rathbone describe it well:

the way in which emergency supplies were mobilized was "dilettantist." The case of Metellus and the Thessalian grain illustrates this vividly. In that instance the alleviation of a food shortage in Rome depended on the chance that surplus grain stocks would be located somewhere, that the key Roman official should have had foreign contacts in the appropriate place, and that private shippers could be found to transport the grain once acquired.⁷⁶

Whether grain was imported, therefore, was a function of an aristocrat's leadership, social networks, and diligence. The price of grain reflected the leader's virtues. It was proof of his worth, and it should be noted that Gaius himself was demonstrably well placed to excel under this system.⁷⁷ He nonetheless

73. Meier 1980: xxii–v and esp. 46–7, with the discussion at Hölkeskamp 2010: esp. 14–7. Jehne 2000a: 225–6 similarly embeds *libertas* within the manner of interaction between aristocrat and "der sprichwörtliche kleine Mann."

74. For sources and reconstruction, see Stockton 1979: 126–9; Garnsey, Gallant, & Rathbone 1984; Garnsey & Rathbone 1985; Meijer 1990: 14–6; Erdkamp 2000: 68–9; and Erdkamp 2005: 240–1.

75. Garnsey, Gallant, & Rathbone 1984.

76. Garnsey & Rathbone 1985: 23–4, citing Veyne 1976: 446 for the term "dilettantist."

77. The Numidian king Micipsa had sent grain to Rome in honor of Gaius: Plut. *C. Gracch.* 2.3.

envisioned a standardized program in which the state maintained granaries and committed to the importation of a certain amount of grain each year in order to guarantee an adequate supply at a specific price. An aspiring aristocrat who entered the aedileship would now be left little autonomy in deciding how much grain to import, from where to import it, how to store it, how much to charge for it, and who would receive it. The identity of the responsible actors became meaningless. Gaius thus dissolved the differences between individuals and prioritized the functions of the state as something more than an annual collection of idiosyncratic magistrates.⁷⁸ For Aemilianus and Metellus, the state was a sphere of aristocratic behavior, an object or instrument of aristocratic existence, but Gaius was crafting a state with permanent commitments, institutionalized procedures and depersonalized magistracies. What *libertas* could be born from higher office if the functions of that office were strictly prescribed?

The erosion of aristocratic exceptionalism can be found elsewhere in the Gracchan program, as well. It was at the heart of Tiberius' agrarian reform, which insisted that large landholders not prioritize their grand families' own estates over the claims of lesser Romans. It was apparent in Gaius' proposal to assign provinces prior to elections, which by allowing candidates to be assessed according to their expertise and the nature of the impending tasks similarly undermined the aristocratic ideal that any individual should be able to govern any province simply because, as Aemilianus put it, his *dignitas* recommended him to the *populus*. Now it was the function of the office that was prioritized.⁷⁹ Gaius' assault on the aristocrat's freedom—and specifically on Aemilianus' conception of freedom as the right to give commands (*imperium*)—is also bound inextricably to his law on the citizen's protection from magisterial abuse (*provocatio*), a law which retrospectively forbade the execution of citizens without trial before the citizenry.⁸⁰

78. Garnsey & Rathbone 1985: 23–4 and Ungern-Sternberg 1988: 182. Erdkamp 2000: 68–9 downplays the innovation in the *Lex Sempronia* and even argues that the “measure should also have depoliticized the food supply of Rome, as individual politicians were no longer able to take measures as they saw fit.” The sentiment shows admirable fixation on the question of whether or not poor Romans enjoyed an adequate food supply, but entirely misses the point that depriving the ambitious of a chance to demonstrate their personal merits is anything but a depoliticizing act.

79. Ferrary 2010. Badian 1958: 177–8 points out that the senate had used provincial assignments to thwart the legislative program of Gaius' ally, M. Fulvius Flaccus, as recently as 125, and so the law can be seen as a way of protecting potential reformers from institutional obstruction.

80. Cic. *Rab. Post.* 12, Cic. *Dom.* 82, Cic. *Brut.* 128, with Stockton 1979: 117–21. The law was an obvious attack on those who had executed Tiberius supporters in an ad hoc court in 132—the consul who had presided over the court went into exile upon the passage of Gaius' law. The persistence of *provocatio* as a feature of citizen rights is testament to the tension between *libertas* as a citizen's freedom from persecution and *libertas* as the aristocrat's right to exercise *imperium* (Beck 2011: 79). Brunt 1988: 308–9 pointed out that there was no equivalent of the *ius provocationis* at Athens, for the simple reason that Athens lacked any equivalent of *imperium*—that is, Athenian citizens needed no such defense because their leaders did not (successfully) claim the same rights to compel and dominate citizens under their command. There were attempts to reconcile aristocratic exceptionalism with universal freedom—see Cato's formulation at *ORF M. Porcius Cato* 252—but Aemilianus' *libertas* was necessarily a threat to popular rights. In passing a *provocatio* law, Gaius showed firmly

Perhaps most saliently, as Sherwin-White has shown, the principle drove the *repetundae* law of Gaius Gracchus.⁸¹ Not only was the very nature of the law—to punish profiteering by powerful Roman officials in the provinces—“a stab in the flesh” of the senatorial order, as Lintott put it, the drafting reveals a legislator exerting himself to minimize the personal privileges of those subject to the measure.⁸² Lines 2 and 3 of the law extend themselves to subordinates like military tribunes and to sons of senators, so that there could be no corrupt “private” enterprise running profits through well-connected junior members of the great houses. There is seemingly endless regulation of juries. The list of potential jurors was publicized and personal connections were minimized by insisting that all eligible jurors be domiciled at Rome; in other words, governors could not conspire with equestrians in the provinces who would then travel home to sit in judgment on their collaborators. The presiding magistrate had no discretion to select jurors, and the contending parties could not select jurors to whom they were related by birth, marriage, profession, friendship, or religious cult. Limitations were placed on the personal interactions of jurors and on the extent to which they could favor defendants.⁸³ Gaius took no half measures in this: “The force of these rules is revealed by their length. The law lays down exactly what the praetor and the quaestor are to do, and when they are to do it.”⁸⁴ Not only did the law limit the scope for governors in the province to generate profits, not only did it limit the elite’s privilege in insisting that they be judged by peers, but it also limited how presiding magistrates could exercise their powers—their *libertas*—as those who had won elected office.⁸⁵

To the extent that Meier was right that “being involved in politics meant being part of the aristocracy, and being part of the aristocracy meant being involved in politics,” the Gracchi were striking at the heart of what it was to be a Roman aristocrat.⁸⁶ To be elite—or, I think more accurately, the most elite thing a person could do—was to hold office. Yet here was a new conception of what it meant to be a magistrate. The bureaucratic instincts of Gaius posed an unmistakable threat to aristocratic identity—even to aristocratic freedom.

Much like Tiberius, however, Gaius was also challenging the status quo in regard to the distribution of resources. To appreciate the hostility toward

that he preferred to limit Aemilianus’ *libertas* through *imperium* instead of the people’s *libertas* through civil protections. On *provocatio* in general, see Cloud 1994 and the classic accounts of Martin 1970 and Lintott 1972.

81. Sherwin-White 1982, with Ferrary 1982: 753. The text of the law can be found at Lintott 1992 and Crawford 1996: no. 1. Excellent discussion can be found at Brunt 1988: 151, 153–4, 196–210.

82. Lintott 1992: 25.

83. Sherwin-White 1982: 23–4, on line 22 in particular, with Bringmann 2007: 160–1 on the senators’ preference to be tried before members of their own order.

84. Sherwin-White 1982: 27.

85. Horvath 1994: 99 shows how this was part of a larger shift in jurisprudence from “*mos maiorum*” to a legalism that is perhaps the dominant ideological motif linking reformers of 149–137 to the Gracchan movement.”

86. Meier 1980: 47, with debate at Millar 1998: 4–5, Hölkeskamp 2000: 215 and Hölkeskamp 2010: 89.

Gaius—to understand how and why a consul would prepare a force of foreign archers to slaughter such numbers in the streets of Rome itself—it is necessary to understand how his dream of a richer, more capable state could be so obviously antithetical to entrenched interests. Fannius argued earlier that the distribution of public goods was a sure sign that tyranny was afoot, but he was not envisioning an army at the gates primed for a coup d'état.⁸⁷ Gaius' wealthy state undermined aristocratic interests without installing a new regime or capturing the "constitutional" framework of Roman politics.

Earlier chapters of this book focused on the elite's interest in decentralizing wealth—that is, in ensuring that riches were assigned overwhelmingly to the many private estates of Roman society instead of being centralized in a (redistributive) treasury. This was preferable to Rome's aristocrats for a number of reasons: by keeping the state relatively poor, it ensured that a coup d'état would be less tempting; by curtailing the resources on offer to magistrates, it limited what could be exploited by the handful of individuals enjoying office each year; by diverting wealth into private estates, it ensured that aristocratic families were well placed to control the economic surplus and the distribution of resources through their own houses. Gaius' state, however, challenged these goals of a decentralized political economy.

If Gaius thought that new revenues would preempt criticism of his fiscal policies, he was sorely mistaken. Far from relieving the fears of his opponents, these new revenues were every bit as ominous as his new outlays, because this new centralized course increased the state's demand for and entitlement to the profits generated through empire. By increasing the entitlement of the state, reform threatened to institutionalize a set of state practices that demanded first fruits from the provinces' potential profits and, by insisting on their own fiscal prerogatives, left too little room for private profiteers at the provincial trough.⁸⁸ This meant that, to the extent that Gaius was raising revenue by gouging the profits of provincial governors and businessmen, he was in effect placing a tax on the elite. The removal of provincial extortion courts from senators' hands only honed the threat through the prospect of punishment for any individual who raised money while operating with state authority. Gaius' assault on profiteering was, therefore, out in the open. As with Tiberius' claim that the elite should enjoy no privilege over public land, Gaius was unmistakably asserting that senators should enjoy no privilege to raise illegitimate profits through

87. See note 65, this chapter. See also, however, Wirszubski 1950: 49 on the legitimate fear of Tiberius' excessive influence.

88. Though it is in no way focused on Rome, the classic examination of this dynamic remains Goldschied 1958, where the claim is made that modern constitutional government saw the impoverishment of the state as the ruling class seized all of its resources before the enfranchised masses could control them. The result was a democratic state that belonged to the broader population, but could offer them little, forcing them back into the arms of the wealthy.

provincial government. The state's share was to become more generous, and at the same time, the share available to private actors was to become more limited. The rhetorical battle between Piso and Gaius reflects the differing priorities regarding this point. Gaius would tell an assembly that public resources belonged to them (*vectigalia vestra* and *vestra commoda*), but Piso would co-opt this rhetoric, attacking the grain law on the grounds that it was a waste of *his* property (*mea*) as a citizen.⁸⁹ The antithesis of *mea* and *vestra* expressed the tension between the Gracchan vision of the active employment of collective resources for collective benefit, and the more traditional Roman denial that the treasury should possess or deploy any of society's resources beyond those necessary.⁹⁰ For Piso, there was evidently no need to centralize more resources, since there was no need to spend them in novel or unprecedented ways. Piso's priorities obviously minimized the state as a competitor for profits, but Gaius strengthened the state in this regard. In a world with as thin an economic surplus as the ancient Mediterranean—and before the full decentralizing potential of tax farming had become apparent—this was an ominous shift.⁹¹

The problem with this new competition for resources was not simply that the elite stood to make less money—the Roman aristocrat, after all, was less *Homo economicus* than *Zoon politikon*. As such, wealth was relevant as a social and political instrument, as a means to display magnificence, to bind clients through financial support, and on a larger class level, to control the distribution of resources. By advancing the state's role in seizing and redistributing the empire's wealth, however, Gaius was threatening the patronage roles of the aristocracy, and so the ramifications of his centralization could not but irritate the sensibilities, practices, and functions of aristocratic identity.⁹²

89. *ORF C. Gracchus* 44. Piso: *Cic. Tusc.* 3.48.

90. On the Roman preference for private property, see Rathbone 2003.

91. It could easily be argued—as Richard Billows did as a reader of the dissertation from which this book derives—that my own logic in chapter 2 would construe the institution of a great tax farm in Asia as proof that Gaius was not trying to centralize resources in the state, since contracting was an effective way of limiting public enrichment and favoring private wealth. The problem, however, is that Gaius had few options. To hand the tax system over to the governor's staff would have been bizarrely hypocritical, given that he was simultaneously legislating against governors' tendency to skim profits for themselves. Why would he now trust governors with such riches? Moreover, Gaius' Asian tax system was extremely unusual in that it was drafted not in the province but in Rome. Nathan Rosenstein reminded me that the Gracchi boasted a network of prominent Asian clients (Badian 1958: 173–4), but Gaius had never seen the local tax system in action. He had instead spent all his public life in the West and as quaestor had managed the finances in Sardinia. With a track record of working with contractors in Sardinia—if any proof were needed, the mention of a *Cleon salari(us) soc(iorum) s(ervus)* at *CIL X*, 7856 attests to contractors on that island—and the chance to collaborate with leading contractors at Rome, Gaius was inclined to rely on the only capable collectors he knew: *publicani*. Had he been governing Asia when he set up the tax system, he may well have chosen a different approach. But Gaius clearly had a strong technocratic streak, and he likely fell back on his familiarity with the system of tax farming he had managed in Sardinia. Naco del Hoyo 2001: 368 reasonably objects that the Sicilian model was a poor prototype, since it seems not to have converted the grain into cash as the Asian contractors did, but with a few tweaks here and there, the policies in the West offered a more than suitable model to achieve Gaius' ends (see chapter 2, this volume).

92. See Hands 1968, Veyne 1976, and Silver 1997 on the role of private expenditure in maintaining an aristocrat's status, Perelli 1982: 9–100 on the state's emergence as a patron autonomous and free from oligarchic

Thanks to decentralization, the aristocracy enjoyed a high degree of control over the resources that were pouring into Italy. State institutions and practices were correspondingly not expected to possess the kind of resources needed to solve quotidian problems. To gain access to such resources, less privileged citizens were likely to do as they had always done: to turn to social networks dominated by hierarchical interactions. These interactions included traditional Roman *clientela*—in which each citizen had his place in vertical ties of obligation—but also moved beyond that strict (if slippery) terminology to encompass a range of transient, informal, and even opportunistic engagements.⁹³ Such hierarchies held obvious appeal to the aristocrats who sat at their pinnacle, and their sanctity was so deeply felt that Romans believed *clientela* to have been one of Romulus' original institutions. New wealth was being funneled through the wealthy families who were best placed to bring it back, and so as long as decentralization was the dominant means of moving resources from the provinces to Italy, the bulk of the population would remain to some degree dependent on these hierarchical networks. By controlling such a major share of the economy, then, elite Romans could, through the provision of support to the less privileged, play out their role as patrons and benefactors.

As an illustration, it is worth imagining briefly that a struggling citizen was short of grain. His only real hope of amelioration was to exploit these vertical social networks by turning to a superior in the hope of some kind of charity, and this must have been a regular event in the houses of the elite.⁹⁴ This was the hierarchical network of Roman society in action. In these transactions, the order of society was maintained, even made explicit. They were the everyday obligations that revealed the elite to be elite, and that revealed—equally importantly—the subordinate to be subordinate. These exercises could range from the minor provisions of grain for those who happened to need it on any given day, through regular assistance for clients bound by ancestral ties, all the way to the extreme examples of Crassus' public feast on 10,000 tables and Ahenobarbus' promise of land to thousands of followers.⁹⁵ Thanks to Gaius, however, the hungry citizen now had a state program to which he could turn every month, receiving his

control, Ferrary 1982: 753 on competition between state and elite for provincial profits, and Eich & Eich 2005: 29 on the end of *tributum* as a way of reinforcing patronage networks.

93. On the centrality of *clientela* to aristocratic identity, see recently David 2009: 73, Hölkeskamp 2010: 35–9, and Yakobson 2010: 283 on the political aspects, with Saller 1982: ch. 1 and Lavan 2013: 179–86 on the institution's linguistic complexity. The history of the scholarship on *clientela* can be picked up from a revived surge of research beginning with Meier 1980: 31–41 and Bleicken 1981: esp. 245–7 (both of whom begin their treatments by acknowledging *clientela*'s archaic roots), as well as Brunt 1988: ch. 9, Wallace-Hadrill 1989, and David 1997.

94. C. Gracchus himself was remembered as the first person to have so many visitors that he had to split his *salutationes* into three categories of priority (Sen. *Ben.* 6.34.2–3). For grain distributions as a regular part of Roman life, see Garnsey 1988: 177.

95. On Crassus and Ahenobarbus, Plut. *Crass.* 12.3 and Caes. *BCiv.* 1.17.4.

share of publicly funded grain without any obligation of gratitude or reciprocity.⁹⁶ The state, thoroughly outgunned until now, was emerging as universally accessible patron, its footprint growing to encompass interactions that had once existed solely in the realm of Rome's traditional, hierarchical social networks.

This was exactly what the aristocracy had hitherto prevented. By minimizing the share of the Republican state, Rome's rulers had preserved the supremacy of their own aristocratic resources—whether in the form of money, social capital, control of networks, or any other area in which they were dominant—and so preserved the critical role of social inequalities in Roman life. So long as the decisive resources were outside the state, and so long as the bulk of the population felt it had had a better chance of meeting economic challenges through social networks, the dominance of the aristocracy was secure. A course of resource decentralization had made them landholders and capitalists, with their social dominance bolstered by their estates. It did not depend on the holding of office, which was limited to a few years in a long life and that was subject to the vagaries of the voters. As they monopolized the profits of expansion, the wealthy became patrons, landlords, and employers for more and more citizens (whether urban or rural), and further bound the dependent population to their control of resources.⁹⁷

To challenge the entitlement of the aristocracy was to challenge the priority of these hierarchical social networks and the status of those whose supremacy in society was defined by them. Elections, short office terms, and collegiality meant that no aristocrat could exercise social dominance through the state, but so long as the reach and resources of aristocratic society trumped the reach and resources of the state, such limitations did not matter. I would argue that the great offense caused by the Gracchi was located here, in the contest to distribute resources. It was not the simple loss of profits that saw them assassinated. Instead, it was the social implications of redistributing Roman resources through state instead of private networks. It was the subordination of the aristocrat's entitlement to the superpower's resources and of his right to behave as he wished in office. Tiberius and Gaius attacked their fellow aristocrats' autonomy. They defied the incentives that had led their peers to prioritize private resources and private redistributive networks as the driving economic force of Rome's changing socioeconomics, and it was for this threat to the privileged identity of Roman aristocrats that so many lives were lost.

96. Brunt 1988: 244, 347 tentatively suggests that Gaius' grain law was aimed at curtailing the great houses' ability to purchase muscle through donations. Ferrary 1997 discusses the dangers of this *popularis* ideology for the aristocracy. Meijer 1990: 15 addresses the ideological impact of employing the state to solve domestic problems.

97. Hopkins 1978: 14, Mann 1986: ch. 9, Eich & Eich 2005: 29. As landlords, see Shatzman 1975: 24. The lesson from the Saudi Arabian case in chapter 2 (and in the conclusion that follows) is relevant here.

CONCLUSION

Fiscal issues are frequently controversial because no state can allow its citizens to insist that they will only pay taxes for programs from which they themselves benefit—that is to say, my taxes pay for parks and roadwork in neighborhoods I never visit, and I cannot opt out of contributing to programs I do not myself use. Much of this revolves around the problem of nonexcludability.⁹⁸ Since it is impractical to exclude free-riders from the benefits of parks or defense, states need to ensure that we all contribute as potential beneficiaries. To manage public finance without this forced participation is impossible, and so states erect coercive apparatuses to intimidate citizens to pay their taxes—or they offer benefits to incentivize compliance. In second-century Rome, however, the problem was reversed. With the end of domestic taxation came the end of forced participation. The central problem metamorphosed from nonexcludability of taxpayers to excludability of recipients, because the chief challenge in redistributing wealth shifted from the raising of money to the distribution of imperial wealth. The most important question in the Punic Wars had been, “How do we ensure that everybody pays?” By the time of the Gracchi it had become, “Who gets what?”

Few societies (can) have established norms for dealing with new wealth on such a vast scale. At Rome, the question of “Who gets what?” was not new, but it took on new importance. It had previously been settled when the city was merely the dominant player in central Italy, and so the answer—an aristocratic society with about as much inequality as a relatively fluid oligarchy could sustain in a preindustrial economy—was well suited to that particular context. As Rome expanded, however, resources poured into Italy. The question of resource allocation no longer pertained to the limited possibilities of Latium and its surrounds. Yet nobody readdressed the question in a full-throated fashion until 133.

The fact that nobody raised the question perhaps allowed the various parties to misread just how far apart they were. Or, perhaps it was not until a specific measure was on the table that the stakes became obvious. In any case, the proposed shift terrified parts of the ruling aristocracy. An unregulated extension of the status quo would ensure that the elite retained the old disproportionate benefits, but now on the scale of the new and enlarged economy. The Gracchan vision, on the other hand, offered a more centralized approach in which the state played a more powerful role in seizing and redistributing resources.

98. A clear exposition can be found at Pierson 2004: 31. Appreciating the problem of “nonexcludability” also requires an understanding of “jointness of supply,” which pertains to goods whose costs are more or less the same regardless of the number of users. Again, a park is a fine example. The building of my local children’s playground would not have cost more if the number of children using the swings was higher or lower. Given the rigid costs and the impossibility of limiting use to certain taxpayers, the park becomes much more feasible if every citizen contributes a tiny amount.

It conjured a number of horrors: it curtailed the autonomy that magistrates enjoyed in office by imposing a set of fixed practices, which each was obliged to follow regardless of inclination or personal circumstance; it created in the state a strong and entitled competitor for economic resources that threatened the elites' ability to control the distribution (or retention) of wealth in society; by endowing state networks with new and more lavish resources, it threatened the primacy of the elite's social networks—the myriad hierarchical interactions that the wealthy had with the non-wealthy—as a way of binding the population to the wealthy and fortifying the inequalities of society. Each of these threatened not just the specific interests of the aristocracy but also the very identity that the aristocrats enjoyed as leaders and benefactors. As was raised at the beginning of this chapter, that sort of identity challenge was exactly the kind of threat that would explain the horrifying salience of the anti-Gracchan backlash.⁹⁹ A question of who should receive what implied a question of what privileges should belong to the aristocracy.

If the arguments in this chapter are correct, then the hostility of the anti-Gracchans reveals both the depth and the nature of the priorities that had guided Roman practice—"policy" conjures too deliberate a sense here—through the middle of the second century. Rome's adjustment to empire had thus far privileged the autonomy of the wealthy to conduct themselves in office as their own inspiration and capacities demanded, to control the newly enlarged economic surplus just as they had done with the old and much smaller one, and to prevent the state as a centralized decision maker and revenue raiser from playing a greater role than was necessary to preserve the status quo. They watched in horror as Tiberius and Gaius presented not just a set of reforms that would challenge the privileges and practices that defined the aristocracy, but also adorned them with a vision—even an ideology—that would have made the old ways impossible and would have justified the extension of these first reforms into ever-deeper nooks and crannies of Roman society.

99. See note 7, this chapter.

Conclusions

For those leaders of the Middle Republic who created the Roman war machine—those who devised the legionary system, who carved out space for talent in a regime hitherto reserved for patrician families, who drafted the sprawling alliances that bound Italian manpower to Rome’s military standards—there was no way to foresee how these impressive military capacities would produce such root and branch changes to the fatherland. From the moment those capacities were projected out of Italy in 264, to the moment that Caesar decided to turn them back on Rome itself in 49, there was a slew of religious developments, cultural revolutions, economic transformations, and demographic upheavals, few of which would have been conceivable without Rome’s astonishingly successful mode of imperialism. When it comes to public life, however, it is easy to underemphasize the degree to which imperialism forced change. After all, many of the families who began this process in the early years of the Republic were still preeminent at the end, and the constitution that so impressed Polybius in the second century had proved—and in many ways would remain—remarkably stable throughout the long road of expansion. The members of those grand families were not, however, automatons; nor did the constitution shape practices and decisions in unchanging ways over time. As individuals and as a group, leaders manipulated that constitution within a vast array of constraints and opportunities, and as Rome’s socioeconomic fabric was remade in light of its imperial success, the bargaining, the calculations, and the power of these various actors changed, even as the names—names of families, names of magistracies, names of laws—remained more or less the same.

No society can be flooded with such plentiful new wealth without fundamental change. Where did that wealth accumulate? Who benefited? What were the social and political effects? The Rome that first set out on the imperialist mission featured a constitution largely familiar from later Roman history: despite some modifications in the number of those elected each year, the offices of consulship and praetorship, the various powers of aediles, quaestors, and tribunes

of the *plebs* should be familiar to any high school or undergraduate student of the Late Republic. The economy, however, proved far less petrified. That there were fewer economic resources available to Romans of the third century than there would be two hundred years later is self-evident. In the third century, the limited availability of those resources meant that Romans had to divert a larger proportion of their wealth and production to warfare than would be necessary once the empire brought new riches. This meant that citizens had to contribute. The fiscal realities of war—and to some extent, all state activity—required that the treasury tap the wealth of a relatively broad spectrum of Romans to stoke the furnaces of the war machine, and this demanded a degree of political cohesion that would not be necessary at the end of the Republic. Declaring war without the support of the taxpaying citizens—that is, those landowners who paid the war levy known as *tributum*—was folly, since it was their willingness to pay up that kept the war financed. For reasons I will discuss next, Romans had no interest in developing the sort of coercive apparatuses needed to force taxes out of unwilling citizens, so consent was all important.

An examination of the first two Punic Wars shows what this meant in practice. In the First Punic War, the senators, well aware of the fiscal and political constraints within which they operated, allowed the voters to decide whether to intervene in a dispute in Sicily, and when the elite's leadership of the naval war proved incompetent, there was little choice but to accept a law that banned any use of taxpayer money to fund new fleets. The absence of any resistance on the part of the senators might suggest to some that this law was passed with elite support, but this makes little sense: the senators did not need laws to tell them how to spend public funds—they could simply choose not to spend money on ships—and they proved their determination to fight on when they themselves lent money to the state for one last fleet in 242. While the ban on public funding for the navy quite clearly demonstrates the political autonomy of the taxpayers, it is the reaction of the senators that is most illuminating: they lived with it. When it came to building the fleet they wanted, they put up the money themselves and operated within the constraints set by the voting assemblies. Instead of overturning or defying the people's order, Rome's leaders understood they had no choice but to accept the impressive political powers of the voters.

In the Second Punic War, the powers of the people were not always as brilliantly demonstrated, but they remain nonetheless discernible. The senate began the war with a certain amount of deference to the voters' wishes—on the election of a dictator in 217, for example—but the disaster at Cannae in 216 resulted in the centralization of decision-making powers in the senate. The citizens, well aware they were faced with a singular crisis, accepted the extraordinary fiscal burden demanded of them, and offered little in the way of political agitation until four or five years after Cannae. The tension that boiled over in 210, when the senate

called for paid and rationed rowers, was probably apparent in some quarters as early as 211. In that year, the senators voluntarily asked the voters whom they would like to send to lead the war in Spain, and they repeated the consequential gesture in 210. Also in 210, the senators spearheaded an effort to have the wealthiest citizens lend the money for a new currency—and hence for the war itself—from their own estates. Having pushed the taxpayers' tolerance to the limit with their calls for *tributum*, the senators in 211 and 210 showed a deft touch in managing popular discontent. They had little choice. If the citizens decided that they were being offered an unacceptable bargain, then they would stop paying or they would agitate ever more loudly for change in the war's conduct.

The relationship between voters and policymakers in the third century reflected the fiscal reality that the state could not function without *tributum* and that *tributum* could not be collected without the consent of those who paid it. Leaders were socially powerful and politically distinguished, but their autonomy was constrained by their reliance on state resources and, in turn, by the state's reliance on the people's resources. This provided the taxpaying citizenry with impressive leverage. Over time, however, the elite devised various ways of escaping those constraints. Though conquest offered Rome the opportunity to enrich virtually any of its constituent parts on an unprecedented scale, Romans adopted policies that ensured the state only received the resources it needed to perpetuate its traditional functions with two qualifications: first, those functions would now need to be projected on an imperial scale; and second, they would need to be funded without *tributum*. The disappearance of *tributum* negated any claim by the taxpayers to control state policy, and thus freed the elite to pursue its aims in a fashion less consultative and less reliant on popular participation.

The limiting of the state's enrichment was in large part due to the aristocracy's success in capitalizing on the state's idiosyncratic combination of low autonomy and high extractive (i.e., revenue raising) capacity. The state could deploy its various specialties—war, diplomacy, regulation, law courts—to squeeze greater profits from the provinces, but it had few ways of ensuring that those strengths were not deployed for non-state interests. There were various intentional and unintentional ways in which Rome's leaders engineered this state of affairs. Romans with capital could make immense profits from tax farming, but the important point about the tax farming system was that the use of auctions capped the state's share of revenues at the price of the tax farming contract. This ensured that the state would enjoy a certain level of wealth, but it also ensured that the Roman people would have no claim to provincial spoils beyond that. This "capping" thus meant that any further draining of the provinces' wealth was not at Rome's expense and hence was not so grave a crime. Partly due to this increased latitude, many of Rome's leaders squeezed what they could from the provinces. Through the manipulation of fees, levies, and allowances, and through the use of judicious threats or the imposition of timely burdens, Rome's leaders managed to ratchet

up the amount paid by Rome's subjects in ways that were frequently legitimate but that were independent of the regular taxes received by the treasury. Through these methods and through outrageously usurious financial transactions, the elite managed to maximize gross taxation (what the provinces paid) without increasing net taxation (what the treasury received).

As the aristocracy's enrichment proceeded, the stakes rose. In the middle of the second century, there was enough scope for expansion in existing practices—increases in infrastructural building, warfare, and private profits, for example—to absorb the new wealth in traditional, prescribed, uncontroversial ways. Expectations, in other words, had not yet adjusted to the scale of enrichment, and hence there was no need to engage in public debate about how the new wealth ought to be apportioned. It was impressive enough that the old uses of state wealth could be expanded. With the persistence of the status quo, it was the aristocratic Romans who were best placed to benefit from the new imperial wealth—they promptly did so—but within a generation or two new claims arose. Simply expanding the old ways proved to be unsatisfactory. Why should the few censors and consuls who spent this new bounty be allowed to acquire such fame from it? Why should the aristocracy's age-old privilege be extended in a period defined by unprecedented scales of wealth? When the Gracchi presented “new” ways of employing Rome's wealth, they came as a bolt out of the blue because, although premised on revered notions of citizen dignity and communal interests, the absence of debate in preceding years had allowed various parties to entrench their own narrow and self-interested perspectives. There was shock that the principles they had been uncontroversially adopting in the course of self-enrichment—the occupation of public land, for example, or the suppression of the state's potential role in redistributing resources—were now challenged to great popular acclaim. The Gracchan vision, moreover, heralded more than just a policy here and a policy there. The Gracchi laid out a set of practices that insisted upon the primacy of the state's entitlement to the economic resources and that governed the use of those resources by the elite. If this raft of reforms were allowed to become the status quo, then elite Romans would cede to the state their control over the distribution of imperial wealth and would lose their autonomy when it came to employing those resources when in office. This was unacceptable and they resorted to murder.

The resort to such drastic methods reflects the deterioration of the relatively consultative, participatory, perhaps even deferential politics of the third century. The Middle Republican citizenry could not be mistreated. Had a leader in that period tried to redistribute Rome's public resources, all actors would have had to cater to the citizens who paid *tributum*. If citizens were in favor of redistribution, then slaying their champion would only be the beginning of trouble. Even if, moreover, the well-off assidui who paid *tributum* had been opposed to Gracchus' style of land reform, it is not clear they would be indifferent to the massacring of a tribune and their citizen brethren. This

was, after all, slaughter in the streets.¹ The next time Rome's leaders needed *tributum*, they would again be reminded that there was no war without the participation of those citizens who had witnessed the bloodshed or discussed it in their daily conversations. To defy them once was entirely possible, but they could never be disregarded or mistreated altogether. In the absence of *tributum*, however, the political establishment of the Gracchan period was burdened by no such dependence. Free of any fiscal dependence on the Roman citizen, the most illustrious of the late second century could pursue their goals in a far more aggressive fashion. Any consequent dislocation of the citizenry would have political effects, no doubt, but these would impose far less rigorous constraints on political leadership.

The constitution had experienced little significant change in the third and second centuries, nor had revolution expelled and replaced the cadre of ruling families. Yet the incentives had changed. The bones of contention had been transformed in scale and the bargaining power of different constituents had been reconfigured. Most of these changes, moreover, favored the interests of the elite, and this is hardly coincidence. There were innumerable ways in which the empire's profits could have been apportioned and employed to benefit various sections of society—even several ways in which they could have reinforced elite dominance. Consider the example of Saudi Arabia, which, though distant, reveals how different incentives might have led Rome to pursue a divergent a path.

The modern history of Saudi Arabia shows that windfall riches can lead to a thick state as easily as it leads to a thin state. Before 1964, when Faysal came to the throne in a palace coup, much of the state's revenues had been spent on the royal family's private expenses, and though new ministries had been created, they were poorly managed and scarcely funded. Despite the oil bonanza, the state and the royal family—a fiscal unit—had managed to accrue debts of \$480 million by 1958.² Faysal, however, intentionally transformed the trajectory of Saudi Arabian society by dedicating his oil revenues—now expanded thanks to high prices during the embargo—to the creation of a thicker state that would allow the state and its ruler to distribute oil wealth in a kind of patronage system. Having himself coordinated a palace coup, he took charge of state resources, making both family members and public employees dependent on

1. Perhaps an insight into the behavior of the urban population can be found in Asconius' *enarratio* to the *Pro Milone*, the most detailed and revealing text I know of when it comes to the dynamics of the Roman political community. At 33C, Asconius claims that the murder of P. Clodius Pulcher had aroused indignity in the community (*civitas*), but that it was more than offset by the *Clodiani's* subsequent torching of the senate house. News travels fast in this instance, and Asconius' *civitas* promptly approves and disapproves of the various calamitous acts around it. It seems unlikely to my mind that the elite of the third century could have committed the horrors of 133 and 121 without alienating many of the taxpayers who stood to gain nothing from agrarian reform.

2. Al-Rasheed 2002: 95–107. See also Cleveland & Bunton 2009: 217–33 for a concise treatment of Saudi history before the oil began flowing.

his distribution of salaries and gifts. This role as benefactor tied into the traditional “redistributive role of central power in Arabia.”³ The state became more powerful:

Oil revenues allowed generosity to surpass the regular feast of lamb and rice and the occasional gift of cloth, dates and weapons. Under Faysal’s rule, the state became the source of welfare benefits, medical treatment, new houses, travel documents, legal deeds, birth and death certificates, places at school or university, scholarships to the USA, terrain for agricultural production, construction sites and cash gifts for weddings and hardship. The list was long. More importantly, the state became a gate-keeper that mediated the existence of all citizens. Its influence penetrated all aspects of economic and social life.⁴

Saudi Arabia became a thick, redistributive state in direct response to the question of how to distribute new wealth, and it has long been considered an archetypal “rentier state.” Rentier states are characterized by an overwhelming economic reliance on foreigners paying for the use of the state’s resources (rents).⁵ Because the ruling regime has monopolized profits from the economy’s dominant asset, state policies are funded with or without citizen consent, and there is thus little in the way of political consultation or bargaining. This “resource curse” has thus been deployed to explain what has been perceived as the predominance of autocracy in oil-exporting states. Theoretically, these rentier states might adopt a thin form—as the Saudi state did at first—since preexisting riches meant that there was need neither for measuring, extracting, and compelling, nor for the delivery of public goods in exchange for taxation.⁶ In practice, however, most rentier states share a very different trajectory. The role of benefactor has generally meant that, in the case of oil states, large state institutions have indeed been built up, allowing the coordination of wide-reaching expenditures and the patronization of large proportions of the population.⁷ By distributing the profits of oil sales, rulers can consolidate their rule and secure the obedience of those who

3. Al-Rasheed 2002: 125.

4. Al-Rasheed 2002: 126. The extended story is clearly told at Al-Rasheed 2002: 122–8.

5. Luciani 1987: 11 (proposing alternative terms such as “allocative” or “exoteric” state), Moore 2003:12–6 and Schwarz 2007: 2n1 and Ross 2012 on the effects of oil and gas in particular. It should be obvious that the ancient economy did not allow any state to meet the definitions proposed by these scholars.

6. Vanderwalle 1987: 160.

7. Conventional theories of rentier states have argued for some clear trends. Moore 2003: 15–6 offers seven dominant characteristics of the rentier state: (1) state autonomy from citizens; (2) intervention by foreign nations; (3) coupism, because the rewards of a takeover are high; (4) few incentives for civic politics; (5) vulnerability to subversion, because the absence of extractive apparatuses allow government capacity to atrophy on the ground; (6) opaque public spending practices; (7) ineffective public bureaucracy. On the inefficiencies of bureaucracy in rentier states, see Chaudhry 1994: 18 and Beblawi 1987: 55. Abdel-Fadil 1987: 83–7 examines how oil rents create a rentier mindset throughout the state and the economy, as everybody becomes dependent on the use and reinvestment of oil revenues.

depend on state spending. Haber and Menaldo have complicated this picture by showing that the autocracy identifiable in rentier states regularly predates the discovery of oil, and hence cannot be the product of a resource boom, but even if this prevents the rentier state model from explaining *why* Saudi Arabia is an autocratic state, there is still room for the model in explaining *how* authoritarian government operates: it captures economic surplus and controls its distribution. Thus, the Saudi Arabian regime would likely have turned out to be autocratic even if oil had never been discovered on the peninsula, but the way in which it operated would have been different. The mode of Saudi Arabian autocracy, in other words, reflects the characterization of Saudi Arabia as a rentier state—even if the existential fact of its autocracy does not.⁸

Rome was neither an authoritarian nor a rentier state. It did not rely on foreign payments for the use of resources, the state did not control the economy, and the aristocracy never enjoyed anything like the degree of consolidated autonomy of the Saudi Arabian regime. Yet, there are still lessons here. Both Saudi Arabia and the Roman Republic experienced rapid enrichment in a society with no accepted, preexisting allotment for such vast new wealth. The Saudi Arabians—after some delay—funneled this wealth into the state, where it has led to a thicker set of institutions and an array of practices extending the state's footprint into various parts of its citizens' lives. It is little wonder that this trajectory was appealing. As the ruler, independent and reigning until death, Faysal had every reason to enhance the profile of the state, since it was *his* state. If he increased its resources, he could make more citizens dependent on its benefits, and as these people became clients of the state, they became clients of Faysal himself.

At Rome, however, each leader enjoyed the most tenuous control over public resources. Use of the state's wealth was confined to those who won elections, was limited to a scant few years in office, and was overseen by the senate. No aristocratic peer, moreover, would tolerate an individual or a cabal who defied those limits. Thus, the centralization of Saudi Arabian resources reflects the centralization of Saudi Arabian political leadership, whereas the decentralization of Roman economic resources reflected the decentralization of Roman political leadership. The aristocracy's perfect state would secure enough wealth to minimize the number of taxpaying stakeholders who could hold it to ransom, but it would not possess enough to challenge the elite's enrichment and domination of society. It would remain the captive of the aristocracy. The resemblance to the state of the late second century is impossible to miss.

8. Haber & Menaldo 2011. See also Wiens, Poast, & Clark 2014 for a differentiation between effects on autocracies and effects on democracies, and Andersen & Ross 2013 for a reassertion of the resource curse's applicability to certain periods, even though they accept Haber & Menaldo's findings for the period prior to Faysal's accession.

TAKEAWAYS

No book is written in a vacuum, and it is worth underscoring how this particular monograph fits into existing scholarship. Social science has obviously influenced the approach taken here, and although the Roman Republic looks nothing like the modern states usually studied by fiscal sociologists, my conclusions nonetheless reinforce their principles. The Roman state did not expand all that much, despite increasingly expensive wars and the availability of new wealth. The reason for this was that the new foreign revenues, far from necessitating bargaining between leaders and citizens as modern wars have done, actually negated it. No longer did citizens need to be appeased, and thus leaders never had to offer the kinds of public goods that the Gracchi envisioned or that modern states have institutionalized. The Roman state preserved much of its structure because the easy availability of its new wealth asked so little of its capacities.

Equally as important, the Roman Republic is unlike early modern states in that its ruling regime saw few advantages in a thicker state. With no such incentives, the trend led toward decentralization of revenues, rather than the familiar modern pattern of ever-expanding states. The Roman Republic, in other words, is a rare example: it experienced enrichment on a scale usually reserved for the modern world, but it was ruled by a type of aristocratic regime much more familiar from antiquity. The case of the Roman Republic suggests that Levi's claim—"that rulers maximize the revenue accruing to the state subject to the constraints of their relative bargaining power, transaction costs, and discount rates"—can be reformulated: rulers seek the most profitable equilibrium between the *quantity* and the *availability* of revenues.⁹ It is the availability, however, that matters most. If the regime type grants leaders significant control over the collection, storage, and spending of state resources, then resources will indeed be centralized and there will be growth in the state's practices and institutions. If, however, a regime of mutually jealous aristocrats imposes severe limits on its members' use of state resources—an imposition that shifts the focus from Levi's bargaining between rulers and nonrulers to bargaining within the ruling group itself—then state growth will be weak, and available profits will instead be decentralized into the various estates of the privileged. Hence, the Roman Republican state remained quite thin and the aristocracy became astronomically wealthy.

There are also important points for the study of Roman history. To adopt Mann's quadripartite division of resources—military, ideological, political, and economic—it is fair to say that recent research on the politics of the Roman Republic has concentrated primarily on the first three. Economic

9. Levi 1988: 2.

considerations, however, deserve a place in the reconstruction of Roman public life. The distribution of wealth shifts goals, defines interpersonal transactions, and calibrates political bargaining power. Without considering the importance of economic resources, it is impossible to appreciate the transactions and processes required to put a Roman warship to sea or send a legion into battle. As a result, it is impossible to understand when and how various actors might oppose policy and need to be mollified. To be blunt, we can no more ignore economic resources when completing a portrait of Roman political life than the Romans could ignore them when conquering the Mediterranean.

Economic resources, moreover, bear special significance in the matter of diachronic historical processes. Since few if any features of Roman society can be said to have changed as much over the course of expansion as the economy, the importance of wealth must be especially pronounced when analyzing the development of Roman politics over time. While I would never claim that religion, political communications, or warfare were unchanging through the third and second centuries, Kay has demonstrated that his use of the term “economic revolution” is justified, and to ignore the effects of this transformation would be folly.¹⁰ A great many recent works on political culture, memory, communications, and ritual—while never claiming to treat every aspect of Roman public life—suffer from precisely this limitation. The Rome of these works is all too frequently immaterial. It is removed from the quotidian economic concerns that weighed on the minds of all Romans, much as they weigh on the minds of all humans. The case can also be extended across Italy. Is it plausible that allies who rose up in 91 were not aggrieved that they had to pay for their military contingents, but that Roman citizens did not? Or, that Roman tribunes were drafting laws distributing the peninsula’s land without allies being allowed to vote on them?¹¹

Even within the strict confines of the citizens’ political ideology, economics demands its place. Many works concentrating on the conservatism of Roman political culture conclude that there was no ideological dispute in Rome because there was no serious disagreement that the Republic’s traditional socio-political system was the best conceivable one.¹² There were, indeed, few if any who proposed new constitutions or the overthrow of the ruling class, but it is surely too narrow a definition of “ideology” if one concludes from the acceptance of political structures that there were no ideological rifts. Disputes about how the empire’s wealth should be apportioned and how the universally accepted structures of “the constitution” should operate could each be heavily ideological, and

10. Kay 2014.

11. Gabba 1976: esp. 74–6 and 81–7, with Gabba 1994: 107.

12. Most recently, Mouritsen 2013: 400 and Morstein-Marx 2013a: 41–4. For a strong counterargument, see Mackie 1992.

the tribunates of the Gracchi show how both of those two points could grow intertwined. In some ways, in fact, the success of Gaius' opponents in outbidding him in 122—in offering more colonies, more rights, more everything—was horrifying, because it demonstrated that the people's enthusiasm was for the platform rather than the man. This epiphany freed their hand to kill their enemy, but it showed that what Gaius had offered could not be destroyed with swords and arrows. It was not the man who attracted supporters; it was the vision.

Perhaps the most important conclusion is that, even within a narrow focus on ideology, it remains true that Rome's socio-political and economic developments were not discrete, and there remains wide scope for understanding how they interacted with each other. The economy's role in driving historical development must have an equal place alongside these others, and there is a strong case to be made that it struck an ideological chord among both Roman citizens and Italian allies.

The issue of economic resources also demands that greater attention be paid to the Roman Republican state. Tarrow and Tilly justified their work on "Contentious Politics"—"interactions in which actors make claims bearing on someone else's interests, leading to coordinated efforts on behalf of shared interests or programs, in which governments are involved as targets, initiators of claims, or third parties"—precisely because interactions involving public institutions and resources constitute a distinct realm of social existence.¹³ In particular, the scale of public resources and the rules governing their use mean that public, political relationships are qualitatively different from relationships in other parts of life, even when the persons involved are the same. In other words, the interaction of aristocrat and voter changed once the treasury's resources were involved: the rules governing the relationship were different, the identities of actors changed ever so slightly, the number of participants expanded, and the quantity of resources on offer raised the stakes. No doubt the aristocracy would have loved a situation in which the same dynamics that granted them such dominance in social life could be transposed to political life, but the ineluctability of state resources—and of the various stakeholders affected by them—made this impossible. To minimize the importance of the state as a concept in Roman political history is to obscure the particularity of state resources and the role they played in politics.

Much of this importance stems from the state's ineradicable role in delineating public and private wealth. Communities cannot exist without marking off a pool of resources that are exclusively public, but only rarely can they replenish that pool without dipping into private estates by means of taxation. I have been

13. Tarrow & Tilly 2006: 4.

arguing that this dynamic is of critical importance when it comes to understanding the development of Roman history in the Republican period. Taxation is no doubt bothersome for all of us who have to comply with its demands, but it does create bonds of dependence that empower us. Reliance on taxpayers during the Punic Wars forced the elite to cater to popular sentiment in ways which are not apparent in the Late Republic, but there is an elephant in the room here. Money was just one of two resources necessary for Rome's wars. The other was manpower. Yet, despite an impressive record of soldiers refusing to serve during the early Republic—overwhelmingly dating from before the establishment of *tributum*—there is little in the third century to suggest that young men under arms were leveraging their importance to gain a greater say in matters of policy. Refusals to serve were not a feature of the First Punic War, and the only significant mutiny of the Second Punic War—when elements of a garrison at Sucro in Spain in 206 threatened to rebel—was occasioned by complaints about the thoroughly economic issues of pay and provisions.¹⁴ The evidence suggests that the most assertive and consequential voices among the citizens belonged to those landholders who had completed their compulsory years of service and now were paying *tributum*. What motivated them, moreover, was not concern for those who were serving in battle, but the degree and use of taxation.

Why would protest come from taxpayers instead of soldiers? It is possible that the discipline associated with the legions tempered any urges to leverage service for political gain, or it is possible that men in such a militaristic society were eager to serve unless conditions were particularly dreadful—the Spanish War of 151 is an obvious example.¹⁵ Or, perhaps the shame of not fighting attached such a cultural stigma that few were willing to countenance it. The fact that most recruits were still teenagers or in their early twenties might have made political concerns less grave, or perhaps it all simply boils down to the soldier's interest in the economic rewards of service. On the other hand, the key might lie in the privileged ethos of the citizen. The soldier was bound by the fact that he was fulfilling the military obligations of citizenship; the civilian citizen, on the other hand, more obviously manifested the positive rights of citizenship.¹⁶ As taxpayer and voter, it was perhaps the older citizen who, having already completed his time in the legions, felt empowered to assert himself—to exercise his rights—and to do this he had recourse to the only resource that he himself now contributed: money. Though both *tributum* and military service offered their own forms of leverage, it appears that the former was more frequently used to force concessions.

14. Polyb. 11.25–30; Livy 28.24–32' App. *Hisp.* 34–7; and Zonar. 9.9–10, with Chrissanthos 1997.

15. Livy *Per.* 48; Polyb. 35.4.4–14' App. *Hisp.* 49. Brunt 1971a: 392–3 on the acceptance of military service as an inescapable fact of life.

16. Thus, Morstein-Marx notes that, when Sulla and Caesar do turn legions against Rome, they emphasize the civic ideology of the soldiers as voting citizens. See Morstein-Marx and 2009 and 2011: esp. 268–9.

The fluidity of war, finance, and global politics meant that Rome's fiscal situation was never static. The waxing and waning of the treasury's dependence on citizens casts a different light on the school of thought that, following Fergus Millar, characterizes the Roman Republic as a hotbed of open political interaction deserving of "a place in the history of democracy."¹⁷ This approach too rarely allows for socioeconomic change over time. By focusing on invariable structures like the Rostra and the assemblies' legislative powers, these works have failed to appreciate the ways in which historical developments affected the degree of leverage enjoyed by different parties—the ability of leaders and citizens to stare each other down, to ignore each other, to force or compel each other. There was never a period in which leaders did not stand before the *plebs* and address it, but that interaction was part of a set of transactions that, whether in their absence or their presence, aligned Rome's various political actors and recast each act of oratory or voting. The citizenry that attended oratorical assemblies and *paid taxes* was a different body from the untaxed audience of the Late Republic. The Rostra might not have moved and the legislative powers might have remained more or less unchanged, but the intangible, uncoded status of the people was no longer the same.

EPILOGUE

With the influx of imperial wealth and the end of *tributum*, Roman citizens were relieved of their role as taxpayers. They still voted, they still attended assemblies, they still supported their patrons, and they still served in the army, but there were subtle recalibrations in all these civic roles: legislative interventions were frequently in support of a great figure like Marius or Pompey, instead of the strategic realignment demanded in the First Punic War; their opinions as audience lost salience when they ceased to be the ones funding policies; the incentives for loyalty were greater now that the elite had such vast reserves of economic resources to distribute as rewards. In a situation atypical of ancient history, Romans now saw an enormous pool of resources that were worth fighting for, and by offering lucrative benefits, figures like the Gracchi converted the people into desperately enthusiastic combatants for this or that proposal. Change on the military front was even more pronounced. According to Polybius, service in the legions of the Hannibalic War was reserved for those worth over 4,000 asses, but this threshold grew weaker over time. By the end of the second century, the property requirement had been abandoned.¹⁸

17. Millar 2002b: 6, with original italics.

18. The issue of the 4,000 as property qualification is clearly summarized at Rosenstein 2002: 169. On the vexed question of its reduction and disappearance, see Cagniard 2007: 81 and Keaveney 2007: 22.

The lower property requirement of the second century allowed the state to cast a wider net in recruiting soldiers, and was no doubt a response to real conscription troubles—there had been persistent troubles in filling the legions for Spain from 152 to 134.¹⁹ The recruitment of the poor was certainly no cunning gambit to rob citizens of the chance to use service as a bargaining chip, but it must have had that effect. Tribunes of the 150s, 140s, and 130s had realized that consuls, desperate to head off to their wars, were most vulnerable to pressure during the levy. By lowering the property requirement and encouraging poor volunteers, the political leaders reduced the degree to which they were beholden to a narrow class of potential soldiers. The removal of the property requirement thus tweaked the calculations. Although it did not convert the legions into a dumping ground for impoverished desperadoes, it did increase the potential supply of troops. In doing so, it reduced the bargaining power of those wealthier citizens who might previously have ground the levy to a halt by refusing to serve.

By the time of the Social War, with no *tributum* and with the option of delving into a deep pool of indigent recruits to fill the legions, what exactly did the political elite need from the citizenry?²⁰ “Not a great deal,” is the answer. The availability of provincial revenues and the availability of lower-class volunteers in the legions meant that the two resources that the state had needed from the people—the two resources which citizens could withhold for leverage—were being copiously supplied. What, on the other hand, did the citizens need from the elite? Quite a bit. By locking up the vast profits of imperialism in their own estates, Rome’s most powerful had come to control the distribution of economic resources, and if others wanted a share, they would have to ask nicely. For the bulk of Romans, there was an enormous new pool of wealth that was inaccessible unless its keepers gave permission, and this upset the balance of bargaining power. At the start of this period, when the Romans embarked on the First Punic War, aristocrats certainly enjoyed enormous reserves of wealth and could use them in the practice of patronage, but they also needed the wealth of citizens to fund public activities. Neither party could boast of total financial independence. By the end of the second century, however, the aristocracy no longer needed the wealth of the citizenry. On the other hand, if the average citizen was to gain access to economic advancement, he needed a member of the elite to turn on the spigot. The average Roman citizen of the third century, in other words, was relatively empowered, but the limited scale of public finance meant that he only rarely saw a policy for which it was worth fighting. The

19. Brunt 1971a: 397–8.

20. On the likely composition of the legions in the generation of Marius and Sulla, see Rich 1983: 327–9 and Keaveney 2007: 25–6.

first-century citizen, on the other hand, lived amid wealth that was constantly worth fighting for, but he had lost the leverage to do so successfully.

The apportionment of the empire's profits meant that there were two primary reservoirs of material relief for Roman citizens, and both were inaccessible without the elite. If people were to gain access to the incredible bounty that imperialism had produced, then they would either need leaders like the Gracchi to propose new public policies and to reassert the state's claim to imperial profits, or they would have to manipulate the old mechanisms of patronage to acquire handouts in the private sphere. Either way, the control of the elite is clear. Rome's most illustrious controlled politics and controlled the greatest networks of patronage. Many, though not all, of these leaders would need something in return for their benefactions.

It is, therefore, no surprise that, as people attached themselves to leaders who held out hopes of reward, collective politics became more and more violent. People flocked to support the Gracchi and P. Clodius, and they signed up to fight in the legions of Marius, Sulla, Pompey, and Caesar. All these regular Romans had to offer in return for the economic rewards controlled by these powerful men were political support and muscle. They flooded assemblies to support their leaders in peacetime, they hurled themselves into political violence, and they joined the legions during civil war. Politics grew more febrile because thousands wanted access to the empire's profits, and the only currency the keepers of that wealth accepted was political support, through thick and thin. The inequality of wealth that the elite had begun to engineer in the second century left the bulk of the citizenry willing to do anything—or fight anyone—to gain a share.

Rome would not pull out of this spiral until Augustus came to power. His autocracy created a situation that, though far from identical, was at least more akin to that of Faysal's Saudi Arabia than had previously been the case. For the first time since the expulsion of the kings, state action would be a reflection of a powerful, entrenched stakeholder. There were now durable incentives to raise the state's revenues and redistribute them to various citizens and non-citizens on a permanent basis. The creation of a regular infrastructure in areas such as grain provision, water supply, colonization, public entertainment, and military retirements, as well as the establishment of lucrative career pathways for non-senators, allowed the state to play the kind of redistributive role it always could have, but had not been allowed to. The elite's grip on the empire's profits was loosened just enough to break the old networks of patronage that so easily lent themselves to political violence and to allow a more active, redistributive state. Citizens no longer depended on the old practices of aristocratic leadership—and hence, aristocrats could no longer abuse political support—in ways familiar from the Late Republic.

All the challenges Augustus faced, all the problems he would have to remedy, are apparent if one considers Rome from the perspective of those soldiers

at Corfinium with whom this book began. Who can blame them for following Ahenobarbus, a man who could endow them with entire farms from his own estates? Who can blame their enemies, for that matter, who likewise saw the prospect of a comfortable retirement through Caesar's lands and laws? Ahenobarbus' offer of land is testimony to the scale of wealth at Rome, but his soldiers had tasted very little of that bounty. Indeed, handouts from a politician—whether as private donations or as part of agrarian law—were the most likely way they might ever come to own a piece of land. That must be why at least some of them signed up in the first place. Without denying the importance of ideological and political factors, it is safe to say that there was no shortage of economic incentives to attach oneself to a wealthy, powerful leader in wartime. This moment at Corfinium was the culmination of two centuries of historical development. Their ancestors in the third century had had a good deal of control over whether a war like this could happen, since they would be the ones paying the bills for it. The riches of expansion, however, had allowed leaders to dilute citizen control of politics by ending taxation. They also suppressed the state, robbing it of the resources it needed to cement the loyalty of citizens who no longer provided it with tax revenues.

The bond between citizen and state was breaking, so where would people turn? To the aristocracy. As large estates seized more and more of this wealth, leaders completed the shift from elite dependence on citizen taxes to citizen dependence on elite benefactions. Poorer Romans attached themselves to this or that aristocrat in the hope of some share of elite wealth, and Ahenobarbus knew it. His ancestors had created the political, fiscal, and economic terrain that so enriched his estate, which endowed him with such power. But now, as citizens followed him into civil war, he would have to hold up his end of the bargain and offer the economic relief his subordinates so craved. This is why his attempts at motivation were so unabashedly directed at material profit. At least in Caesar's retelling, there was no attempt to make an ethical case or to point to ideology or patriotism. The soldiers were there for economic relief. Unfortunately for them, however, Caesar was right that civil war put dice in motion. The consummation of their bargain with Ahenobarbus depended in large part on military success, and in this, they had chosen the wrong side. Their consolation would be that, as Augustus created a new, autocratic regime, he would allow their descendants to enjoy at least some of the empire's spoils without having to follow patrons into murderous combat.

Bibliography

- Abdel-Fadil, M. 1987. "The Macro-behaviour of Oil-rentier States in the Arab Region," in H. Beblawi and G. Luciani, eds., *The Rentier State*, 83–107. London.
- Aberson, M. 1994. *Temples votifs et butin de guerre dans la Rome républicaine*. Rome.
- Allsen, T. 1994. "The Rise of the Mongolian Empire and Mongolian Rule in North China," in H. Franke and D. Twitchett, eds., *The Cambridge History of China*, Vol. 6: *Alien Regimes and Border States*, 321–413. Cambridge.
- Al-Rasheed, M. 2002. *A History of Saudi Arabia*. Cambridge.
- Amarelli, F. 2005. "Il Conventus come forma di partecipazione alle attività giudiziarie nelle città del mondo provinciale romano," in F. Amarelli, ed., *Politica e partecipazione nelle città dell'impero romano*, 1–12. Rome.
- Ameling, W. 1988. "Drei Studien zu den Gerichtsbezirken der Provinz Asia in republikanischer Zeit," *Epigraphica Anatolica* 12: 9–24.
- Andersen, J. J., and Ross, M. L. 2013. "The Big Oil Change: A Closer Look at the Habermas-Menaldo Analysis," *Comparative Political Studies* 47: 993–1021.
- Ando, C. 2000. *Imperial Ideology and Provincial Loyalty in the Roman Empire*. Berkeley, CA.
- Ando, C. 2011. *Law, Language, and Empire in the Roman Tradition*. Philadelphia.
- Andreau, J. 1999. *Banking and Business in the Roman World*. Cambridge.
- Arena, V. 2012. *Libertas and the Practice of Politics in the Late Roman Republic*. Cambridge.
- Astin, A. E. 1967. *Scipio Aemilianus*. Oxford.
- Astin, A. E. 1985. "Censorships in the Late Republic," *Historia: Zeitschrift für Alte Geschichte* 34: 175–90.
- Aubert, J-J. 1994. *Business Managers in Ancient Rome: A Social and Economic Study of Institores, 200 B.C.–A.D. 250*. Leiden.
- Aubert, J-J. 2004. "The Republican Economy and Roman Law: Regulation, Promotion or Reflection," in H. Flower, ed., *The Cambridge Companion to the Roman Republic*, 160–78. Cambridge.
- Backhaus, J. 2002. "Fiscal Sociology: What for?" *American Journal of Economics and Sociology* 61: 55–77.

- Badian, E. 1957. "Caepio and Norbanus," *Historia: Zeitschrift für Alte Geschichte* 6: 318–46.
- Badian, E. 1958. *Foreign Clientelae* (264–70 B.C.). Oxford.
- Badian, E. 1968. *Roman Imperialism in the Late Republic*. 2nd ed. Oxford.
- Badian, E. 1972a. *Publicans and Sinners: Private Enterprise in the Service of the Roman Republic*. Oxford.
- Badian, E. 1972b. "Tiberius Gracchus and the Beginning of the Roman Revolutions," *Aufstieg und Niedergang der römische Welt* 1: 668–731.
- Badian, E. 1990. "Review of C. Meier's *Caesar*," *Gnomon* 62: 22–39.
- Badian, E. 1996. "Tribuni Plebis and Res Publica," in J. Linderski, ed., *Imperium Sine Fine: T. Robert. S. Broughton and the Roman Republic, 187–213*. Stuttgart.
- Barkey, K. 2008. *Empire of Difference: The Ottomans in Comparative Perspective*. Cambridge.
- Bauman, R. A. 1967. *The Crimen Maiestatis in the Roman Republic and Augustan Principate*. Johannesburg.
- Beblawi, H. 1987. "The Rentier State in the Arab World," in H. Beblawi and G. Luciani, eds., *The Rentier State*, 49–62. London.
- Beck, H. 2005. *Karriere und Hierarchie: Die römische Aristokratie und die Anfänge des cursus honorum in der mittleren Republik*. Berlin.
- Beck, H. 2009. "From Poplicola to Augustus: Senatorial Houses in Roman Political Culture," *Phoenix* 63: 361–84.
- Beck, H. 2011. "Consular Power and the Roman Constitution: The Case of Imperium Reconsidered," in H. Beck et al., eds., *Consuls and Res Publica: Holding High Office in the Roman Republic*, 77–96. Cambridge.
- Beik, W. 1997. *Urban Protest in Seventeenth-Century France: The Culture of Retribution*. Cambridge.
- Bell, M. 2007. "An Archaeologist's perspective on the Lex Hieronica," in J. Dubouloz and S. Pittia, eds., *La Sicile de Cicéron: Lectures des Verrines*, 187–203. Besançon.
- Bellomo, M. 2013. "Polybius and the Outbreak of the First Punic War: A Constitutional Issue," *Studi Classici e Orientali* 59: 71–90.
- Beness, J. L. 2000. "The Punishment of the Gracchani and the Execution of C. Villius in 133/132," *Antichthon* 34: 1–17.
- Berenger, A. 2011. "Les relations du gouverneur avec les notables provinciaux: cérémonial et sociabilité," in N. Barrandon and F. Kirbihler, eds., *Les gouverneurs et les provinciaux sous la République romaine*, 171–87. Rennes.
- Bergk, A. 2011. "The Development of the Praetorship in the Third Century BC," in H. Beck et al., *Consuls and Res Publica: Holding High Office in the Roman Republic*, 61–74. Cambridge.
- Bernhardt, R. 1985. *Polis und römische Herrschaft in der späteren Republik (149–31 v. Chr.)*. Berlin.
- Bielenstein, H. 1987. "Wang Mang, the Restoration of the Han Dynasty, and Later Han," in D. Twitchett, M. Loewe, and J. K. Fairbank, eds., *Cambridge History of China*. 1:223–90. Cambridge.
- Billeter, K. G. 1898. *Geschichte des Zinsfusses im griechisch-römischen Altertum bis auf Justinian*. Leipzig.

- Blanton, R., and Fargher, L. 2008. *Collective Action in the Formation of Pre-Modern States*. New York.
- Bleckmann, B. 2002. *Die römische Nobilität im Ersten Punischen Krieg: Untersuchungen zur aristokratischen Konkurrenz in der Republik*. Berlin.
- Bleckmann, B. 2011. "Roman Politics in the First Punic War," in D. Hoyos, ed., *A Companion to the Punic Wars*, 167–83. Oxford.
- Bleicken, J. 1955. *Das Volkstribunat der klassischen Republik. Studien zu seiner Entwicklung zwischen 287 und 133 v. Chr.* Munich.
- Bleicken, J. 1981. "Das römische Volkstribunat. Versuch einer Analyse seiner politischen Funktion in republikanischer Zeit," *Chiron* 11: 87–108.
- Bloch, M. 1967. *Land and Work in Mediaeval Europe: Selected Papers*. Trans. J. E. Anderson. New York.
- Boren, H. C. 1961. "Tiberius Gracchus: The Opposition View," *American Journal of Philology* 82(4): 358–69.
- Bose, S. 1993. *The New Cambridge History of India vol 3.2: Peasant Labour and Colonial Capital: Rural Bengal Since 1770*. Cambridge.
- Bragg, E. 2010. "Roman Seaborne Raids in the Mid-Republic: Sideshow or Headline Feature?" *Greece and Rome* 57: 47–64.
- Braund, D. C. 1983. "Gabinius, Caesar, and the Publicani of Judaea," *Klio* 65: 241–4.
- Brennan, T. C. 2000. *The Praetorship in the Roman Republic*. Oxford.
- Bresson, A. 2000. *La cité marchande*. Bordeaux.
- Bringmann, K. 2007. *History of the Roman Republic*. Cambridge.
- Briscoe, J. 2008. *A Commentary on Livy Books 38–40*. Oxford.
- Broughton, T. R. S. 1938. "Roman Asia Minor," in T. Frank, ed., *An Economic Survey of Ancient Rome*, 4:499–916. Baltimore.
- Broughton, T. R. S. 1969. "Comment," in R. Seager, ed., *The Crisis of the Roman Republic*, 118–30. Cambridge.
- Broughton, T. R. S. 1974. "Some Notes on Trade and Traders in Roman Spain," in J. A. S. Evans, ed., *Polis and Imperium: Studies in Honour of Edward Togo Salmon*, 11–30. Toronto.
- Brunt, P. A. 1968. "Review of C. Meier's *Res Publica Amissa*," *Journal of Roman Studies* 58: 229–32.
- Brunt, P. A. 1969. "Review of E. Badian's *Roman Imperialism in the Late Republic*," *Journal of Roman Studies* 59: 270–1.
- Brunt, P. A. 1971a. *Italian Manpower 225 B.C.—A.D. 14*. Oxford.
- Brunt, P. A. 1971b. *Social Conflicts in the Roman Republic*. London.
- Brunt, P. A. 1975. "Two Great Roman Landowners," *Latomus* 34: 619–35.
- Brunt, P. A. 1988. *The Fall of the Roman Republic and Related Essays*. Oxford.
- Brunt, P. A. 1990. *Roman Imperial Themes*. Oxford.
- Burkhardt, L. 1989. "Gab es in der Gracchenzeit ein optimatisches Siedlungs-Programm?," in H. Herzig and R. Frei-Stolba, eds., *Labor Omnibus Unus*, 3–20. Stuttgart.
- Burnett, A. 1987. *Coinage in the Roman World*. London.
- Burnett, A. 2012. "Early Roman Coinage and its Italian Context," in W. E. Metcalf, ed., *The Oxford Handbook of Greek and Roman Coinage*, 298–314. Oxford.

- Burton, P. 2011. *Friendship and Empire: Roman Diplomacy and Imperialism in the Middle Republic (353–146 BC)*. Cambridge.
- Bücher, F. 2009. "Die Erinnerung an Krisenjahre Das Exemplum der Gracchen im politischen Diskurs der späten Republik," in K-J. Hölkeskamp and E. Müller-Luckner, eds., *Eine politische Kultur (in) der Krise? Die "letzte Generation" der römischen Republik*, 99–114. Munich.
- Butcher, J. G. D. 1993. "Revenue Farming and the Changing State in Southeast Asia," in J. G. D. Butcher and H. W. Dick, eds., *The Rise and Fall of Revenue Farming: Business Elites and the Emergence of the State in Southeast Asia*, 19–44. London.
- Cagniart, P. 2007. "The Late Republican Army (146–30 BC)," in P. A. Erdkamp, ed., *Companion to the Roman Army*, 80–95. Malden, MA.
- Calderone, S., Bitto, I., De Salvo, L., and Pinzone, A. 1981. "Polibio 1, 11, 1 ss," *Quaderni Urbinati di Cultura Classica* 7: 8–78.
- Carcopino, J. 1919. *La Loi de Hieron et les Romains*. Paris.
- Cassola, F. 1962. *I gruppi politici romani nel III secolo a. C.* Trieste.
- Chaudhry, K. A. 1994. "Economic Liberalization and the Lineages of the Rentier State." *Comparative Politics* 27: 1–25.
- Chrissanthos, S. G. 1997. "Scipio and the Mutiny at Sucro, 206 B.C.," *Historia: Zeitschrift für Alte Geschichte* 46: 172–84.
- Churchill, J. B. 1999. "*Ex qua quod vellent facerent*. Roman Magistrates' Authority over *Praeda* and *Manubiae*," *Transactions of the American Philological Association* 129: 85–116.
- Clemente, G. 1988. "Sicily and Rome. The Impact of Empire on a Roman Province," in T. Yuge and M. Doi, eds., *Forms of Control and Subordination in Antiquity*, 105–20. Leiden.
- Cleveland, W. L., and Bunton, M. 2009. *A History of the Modern Middle East*. 4th ed. Boulder, CO.
- Cloud, D. 1994. "The Constitution and Criminal Law," *Cambridge Ancient History*, 2nd ed., 9:491–530. Cambridge.
- Coarelli, F. 1977. "Public Building in Rome between the Second Punic War and Sulla," *Proceedings of the British School at Rome* 45: 1–23.
- Coarelli, F. 2010. "Substructio et Tabularium," *Proceedings of the British School at Rome* 78: 107–32.
- Cohen, E. E. 1992. *Athenian Economy and Society: A Banking Perspective*. Princeton.
- Copland, I., and Godley, M. R. 1993, "Revenue Farming in Comparative Perspective: Reflections on Taxation, Social Structure and Development in the Early-Modern Period," in J. G. D. Butcher and H. W. Dick, eds., *The Rise and Fall of Revenue Farming: Business Elites and the Emergenc of the State in Southeast Asia*, 45–68. London.
- Corbier, M. 2008. "The Lex Portorii Asiae and Financial Administration," in Cottier et al., *The Customs Law of Asia*, 202–35. Oxford.
- Cornell, T. J. 1991. "Rome: The History of an Anachronism," in A. Molho, K. Raaflaub, and J. Emlen, eds., *City-States in Classical Antiquity and Medieval Italy*, 53–68. Stuttgart.
- Cornell, T. J. 1993. "The End of Roman Imperial Expansion," in J. Rich and G. Shipley, eds., *War and Society in the Roman World*, 139–70. London.

- Cornell, T. J. 1995a. *The Beginnings of Rome: Italy and Rome from the Bronze Age to the Punic Wars (1000–264 BC)*. London.
- Cornell, T. J. 1995b. "Warfare and Urbanization in Roman Italy," in T. J. Cornell and K. Lomas, eds., *Urban Society in Roman Italy*, 127–40. London.
- Cottier, M., et al. 2008. *The Customs Law of Asia*. Oxford.
- Cozza, L., and Tucci, P. L. 2006. "Navalia." *Archaeologica Classica* 57(7): 175–202.
- Crawford, M. H. 1974. *Roman Republican Coinage*. Cambridge.
- Crawford, M. H. 1977. "Rome and the Greek World: Economic Relationships," *Economic History Review* 30: 42–52.
- Crawford, M. H. 1985. *Coinage and Money under the Roman Republic: Italy and the Mediterranean Economy*. London.
- Crawford, M. H., ed. 1996. *Roman Statutes. Bulletin of the Institute of Classical Studies*, Supplement 34. London.
- Crawford, M. H. 1999. "Origini e sviluppi del system provinciale romano," in A. Giardina and A. Sciafone, eds., *Storia di Roma*, 177–202. Turin.
- Crawford, M. H. 2008. "States Waiting in the Wings," in L. De Ligt and S. Northwood, eds., *People, Land and Politics: Demographic Developments and the Transformation of Roman Italy 300 BC-AD 14*, 631–43. Leiden.
- Crawford, M. H. 2011. "Reconstructing What Roman Republic?," *Bulletin of the Institute of Classical* 54: 105–14.
- Crone, P. 1989. *Pre-Industrial Societies*. Oxford.
- Crouch, C., and Keune, M. 2005. "Changing Dominant Practice: Making Use of Institutional Diversity in Hungary and the UK," in W. Streeck and K. Thelen, eds., *Beyond Continuity: Institutional Change in Advanced Political Economies*, 83–102. Oxford.
- Dahlheim, W. 1977. *Gewalt und Herrschaft: Das provinzielle Herrschaftssystem der römischen Republik*. Berlin.
- D'Arms, J. H. 1970. *Romans on the Bay of Naples: a Social and Cultural Study of the Villas and Their Owners from 150 B.C. to A.D. 400*. Cambridge, MA.
- D'Arms, J. H. 1981. *Commerce and Social Standing in Ancient Rome*. Cambridge, MA.
- Dart, C. 2012. "Duumviri Navales and the Navy of the Roman Republic," *Latomus* 71: 1000–14.
- Daubner, F. 2006. *Bellum Asiaticum: Der Krieg der Römer gegen Aristonikos von Pergamon und die Einrichtung der Provinz Asia*. Munich.
- David, J.-M. 1993. "Conformisme et transgression: à propos du tribunat de la plèbe à la fin de la République romaine," *Klio* 75: 219–27.
- David, J.-M. 1997. "La clientèle, d'une forme d'analyse à l'autre," in H. Bruhns et al., eds., *Die späte römische Republik. La fin de la République romaine. Un débat franco-allemand d'histoire et d'historiographie*, 197–210. Rome.
- David, J.-M. 2009. "L'exercice du patronat à la fin de la République, entre la compétition des pairs et la hiérarchie des puissances," in K.-J. Hölkeskamp and E. Müller-Luckner, *Eine politische Kultur (in) der Krise? Die "letzte Generation" der römischen Republik*, 73–86. Munich.
- Davies, P. 2012. "Pollution, Propriety and Urbanism in Republican Rome," in M. Bradley, ed., *Rome, Pollution and Propriety: Dirt, Disease and Hygiene in the Eternal City from Antiquity to Modernity*, 67–80. Cambridge.

- Degrassi, D. 1987. "Interventi edilizi sull'isola Tiberina nel I sec. a.C.: nota sulle testimonianze letterarie, epigraphiche ed archaeologiche," *Athenaeum* 65: 521–7.
- De Kleijn, G. 2001. *The Water Supply of Ancient Rome. City Area, Water and Population*. Amsterdam.
- De Laet, S. J. 1949. *Portorium*. Brugge.
- De Libero, L. 1998. "Bürgerrecht und Provokation," in T. Hantos and H. Lehmann, eds., *Althistorisches Kolloquium aus Anlaß des 70. Geburtstages von Jochen Bleicken 29.-30. November 1996 in Göttingen*, 135–52. Stuttgart.
- De Ligt, L. 2002. "Tax Transfers in the Roman Empire," in L. De Blois and J. Rich, eds., *The Transformation of Economic Life under the Roman Empire: Proceedings of the Second Workshop of the International Network Impact of Empire (Roman Empire, c. 200 B.C.—A.D. 476), Nottingham, July 4–7, 2001*, 48–66. Amsterdam.
- De Ligt, L. 2012. *Peasants, Citizens and Soldiers : Studies in the Demographic History of Roman Italy 225 BC-AD 100*. Cambridge.
- De Ligt, L., and Northwood, S. J. 2008. *People, Land, and Politics: Demographic Developments and the Transformation of Roman Italy 300 BC-AD 14*. Leiden.
- De Ste Croix, G. E. M. 1981. *Class Struggles in the Ancient Greek World: From the Archaic Age to the Arab Conquests*. Ithaca, NY.
- Develin, R. 1978. "The Atinian Plebiscite, Tribunes, and the Senate," *Classical Quarterly* 28: 141–4.
- Develin, R. 1979. *Patterns in Office-Holding 366–46 B.C.* Brussels.
- Dick, H. 1993. "A Fresh Approach to Southeast Asian History," in J. G. D. Butcher and H. W. Dick, *The Rise and Fall of Revenue Farming: Business Elites and the Emergence of the State in Southeast Asia*, 3–18. London.
- Dmitriev, S. 2005. *City Government in Hellenistic and Roman Asia Minor*. Oxford.
- Duncan-Jones, R. 1982. *The Economy of the Roman Empire: Quantitative Studies*. Cambridge.
- Duncan-Jones, R. 1994. *Money and Government in the Roman Empire*. Cambridge.
- Dyson, S. L. 1992. *Community and Society in Roman Italy*. Baltimore.
- Earl, D. C. 1963. *Tiberius Gracchus. A Study in Politics*. Brussels.
- Ebrey, P. 1987. "The Economic and Social History or Later Han," in D. Twitchett, M. Loewe, and J. K. Fairbank, eds., *Cambridge History of China*, 1:608–48. Cambridge.
- Eckstein, A. M. 1980. "Polybius on the Role of the Senate in the Crisis of 264 B.C.," *Greek, roman and Byzantine Studies* 21: 175–90.
- Eckstein, A. M. 1987. *Senate and General: Individual Decision Making and Roman Foreign Relations, 264–194 B.C.* Berkeley, CA.
- Eckstein, A. M. 1997. "Review: Ancient Dominions," *International History Review* 19(2): 358–71.
- Eckstein, A. M. 2006. *Mediterranean Anarchy, Interstate War and the Rise of Rome*. Berkeley, CA.
- Eckstein, A. M. 2012. "Polybius, the Gallic Crisis, and the Ebro Treaty," *Classical Philology* 107: 206–29.
- Eder, W. 1990. "Der Bürger und sein Staat—der Staat und seine Bürger," in W. Eder, ed., *Staat und Staatlichkeit in der frühen römischen Republik. Akten eines Symposiums, 12.-15. Juli 1988, Freie Universität, Berlin*, 12–32. Stuttgart.

- Eder, W. 1991. "Republicans and Sinners: The Decline of the Roman Republic and the End of a Provisional Arrangement," in R. W. Wallace and E. M. Harris, eds., *Transitions to Empire: Essays in Greco-Roman History, 360–146 B.C. in Honor of E. Badian*, 439–61. Norman, OK.
- Edmondson, J. 1996. "Roman Power and Provincial Administration in Lusitania," in E. Hermon, ed., *Pouvoir et imperium (IIIe s. av. J.-C.—Ier s. ap. J.-C.)*, 163–211. Naples.
- Eich, A., and Eich, P. 2005. "War and State-Building in the Roman Republic," *Scripta Classica Israelica* 24: 1–33.
- El Beheiri, N. 2001. "Die *lex Claudia de nave senatorum*," *Revue internationale des droits de l'Antiquité* 48: 57–63.
- Erdkamp, P. 1995. "The Corn Supply of the Roman Armies during the Third and Second Centuries B.C.," *Historia: Zeitschrift für Alte Geschichte* 44: 168–91.
- Erdkamp, P. 1998. *Hunger and the Sword: Warfare and Food Supply in Roman Republican Wars (264–30 B.C.)*. Amsterdam.
- Erdkamp, P. 2000. "Feeding Rome, or Feeding Mars? A Long-Term Approach to C. Gracchus' *lex frumentaria*," *Ancient Society* 30: 53–70.
- Erdkamp, P. 2005. *The Grain Market in the Roman Empire: A Social, Political, and Economic Study*. Cambridge.
- Erdkamp, P. 2007a. "Review of N. Rosenstein, *Rome at War*," *Mnemosyne* 60: 157–63.
- Erdkamp, P. 2007b. "War and State Formation," in P. Erdkamp, ed., *Companion to the Roman Army*, 96–113. Malden, MA.
- Errington, R. M. 1988. "Aspects of Roman Acculturation in the East under the Republic," in P. Kneissl and V. Loseman, eds., *Alte Geschichte und Wissenschaftsgeschichte: Festschrift für Karl Christ zum 65. Geburtstag*, 140–57. Darmstadt.
- Erskine, A. 1990. *The Hellenistic Stoa: Political Thought and Action*. Ithaca, NY.
- Evans, H. B. 1994. *Water Distribution in Ancient Rome: The Evidence of Frontinus*. Ann Arbor, MI.
- Feig Vishnia, R. 1996. *State, Society and Popular Leaders in Mid-Republican Rome 241–167 BC*. London.
- Feig Vishnia, R. 1998. "The Refusal of the Centuriate Assembly to Declare War on Macedon (200 BC)—A Reappraisal," *Scripta Classica Israelica* 17: 34–44.
- Ferguson, N. 2002. *The Cash Nexus: Economics and Politics from the Age of Warfare Through the Age of Welfare, 1700–2000*. New York.
- Ferone, C. 2003. "Lido, *De Magistratibus* I.27 e la politica navale di Rome nel III sec. a. C.," *Klio* 85: 70–81.
- Ferrary, J.-L. 1982. "Le Idee politiche a Roma nell' epoca repubblicana," in L. Firpo, ed., *Storia delle idee politiche, economiche e sociali*, 723–804. Turin.
- Ferrary, J.-L. 1991. "Le statut des cités libres dans l'Empire romain à la lumière des inscriptions de Claros," *Comptes rendus des séances de l'Académie des Inscriptions et Belles-Lettres* 135: 557–77.
- Ferrary, J.-L. 1997. "*Optimates* et *populares*. Le problème du rôle de l'idéologie dans la politique," in H. Bruhns, J.-M. Davis, and W. Nippel, eds., *Die Späte römische Republik [La Fin de la république romaine]*, 221–31. Rome.
- Ferrary, J.-L. 1999. "La Liberté des cites et ses limites." *Mediterranean Antiquity* 2: 69–84.

- Ferrary, J.-L. 2002. "La création de la province d'Asie et la présence italienne en Asie Mineure," in C. Müller and C. Hasenohr, eds., *Les Italiens dans le monde Grec: IIe siècle av. J.-C.—Ier siècle ap. J.-C. Circulation, activités, intégration*. BCH Suppl. 41, 133–46. Paris.
- Ferrary, J.-L. 2010. "La législation comitiale en matière d'assignation et de gouvernement des provinces," in N. Barrandon and F. Kirbihler, eds., *Administrer les provinces de la République romaine*, 33–44. Rennes.
- Finley, M. I. 1952. *Studies in Land and Credit in Ancient Athens*, 50. *-The Horos-Inscriptions*. New Brunswick, NJ.
- Finley, M. I. 1999. *The Ancient Economy*. Updated ed. Berkeley, CA.
- Flaig, E. 1995. "Entscheidung und Konsens. Zu den Feldern der politischen Kommunikation zwischen Aristokratie und Plebs," in M. Jehne, ed., *Demokratie in Rom?: die Rolle des Volkes in der Politik der römischen Republik*, 77–128. Stuttgart.
- Flaig, E. 2003. *Ritualisierte Politik: Zeichen, Gesten und Herrschaft im Alten Rom*. Göttingen.
- Flower, H. 2010. *Roman Republics*. Princeton, NJ.
- Flower, H. 2013. "Beyond the *Contio*: Political Communication in the Tribune of Tiberius Gracchus," in C. Steel and H. van der Blom, eds., *Community and Communication: Oratory and Politics in Republican Rome*, 85–100. Oxford.
- Foucault, M. 2007. *Security, Territory, Population*. Hampshire.
- Fraccaro, P. 1919. "Lex Flaminia de agro Gallico et Piceno viritim dividundo," *Athenaeum* 7: 73–93.
- Frank, T. 1924. "Roman Census Statistics from 225 to 28 BC," *Classical Philology* 19: 329–41.
- Frank, T. 1933. *Rome and Italy of the Republic. An Economic Survey of Ancient Rome*, vol. 1. Baltimore.
- Frazel, T. 2009. *The Rhetoric of Cicero's In Verrem*. Göttingen.
- Fronza, M. P. 2010. *Between Rome and Carthage: Southern Italy during the Second Punic War*. Cambridge.
- Fuks, A. 1984. *Social Conflict in Ancient Greece*. Jerusalem.
- Gabba, E. 1976. *Republican Rome, The Army and the Allies*. Berkeley, CA.
- Gabba, E. 1989. "Rome and Italy in the Second Century B.C.," in A. E. Astin, F. W. Walbank, M. W. Frederiksen, and R. M. Ogilvie, eds., *The Cambridge Ancient History*, 2nd ed., 8:223–4. Cambridge.
- Gabba, E. 1994. "Rome and Italy: The Social War," in J. A. Crook, A. W. Lintott, and E. Rawson, eds., *The Cambridge Ancient History*, 2nd ed., 9:104–28. Cambridge.
- Gabrielli, C. 2003. *Contributi alla Storia Economica di Roma Repubblicana: difficoltà politico-sociali, crisi finanziaria e debiti fra 5. e 3. sec. a.C.* Como.
- Gabrielsen, V. 1997. *The Naval Aristocracy of Hellenistic Rhodes*. Aarhus.
- Garnsey, P. 1988. *Famine and Food Supply in the Graeco-Roman World: Responses to Risk and Crisis*. Cambridge.
- Garnsey, P., Gallant, T., and Rathbone, D. 1984. "Thessaly and the Grain Supply of Rome during the Second Century B.C.," *Journal of Roman Studies* 74: 30–44.
- Garnsey, P., and Rathbone, D. 1985. "The Background to the Grain Law of Gaius Gracchus," *Journal of Roman Studies* 75: 20–5.

- Gehrke, H.-J. 2002. "Die Römer im Ersten Punischen Krieg," in J. Spielvogel, ed., *Res Publica Reperta. Zur Verfassung und Gesellschaft der römischen Republik und des frühen Prinzipats*, 153–71. Stuttgart.
- Gelzer, M. 1912. *Die Nobilität der römischen Republik*. Leipzig.
- Glew, D. G. 1987. "Publicans or Sinners? Why the *Battaces* Came to Rome in 102 B.C.," *Klio* 69: 122–37.
- Golden, G. K. 2013. *Crisis Management during the Roman Republic: The Role of Political Institutions in Emergencies*. Cambridge.
- Goldscheid, R. 1958. "A Sociological Approach to Finance," trans. E. Henderson, in R. A. Musgrave and A. T. Peacock, eds., *Classics in the Theory of Public Finance*, 202–13. London.
- Goldsmith, R. W. 1984. "An Estimate of the Size and Structure of the National Product of the Early Roman Empire," *Review of Income and Wealth* 30(3): 263–88.
- Goldstone, J. A., and Haldon, J. F. 2009. "Ancient States, Empires and Exploitation: Problems and Perspectives," in I. Morris and W. Scheidel, eds., *Dynamics of Ancient Empires: State Power from Assyria to Byzantium*, 1–29. Oxford.
- Gordon, S. N. 1977. "The Slow Conquest: Administrative Integration into the Maratha Empire, 1720–1760," *Modern Asian Studies* 11: 1–40.
- Gruen, E. S. 1974. *The Last Generation of the Roman Republic*. Berkeley, CA.
- Gruen, E. S. 1984. "Material Rewards and the Drive for Empire," in W. V. Harris, ed., *The Imperialism of Mid-Republican Rome*, 59–82. Rome.
- Gruen, E. S. 1995. "The Trial of the Scipios," in I. Malkin and Z. V. Rubinsohn, eds., *Leaders and Masses in the Roman World: Studies in Honor of Zvi Yavetz*, 59–90. Leiden.
- Haber, S., and Menaldo, V. A. 2011. "Do Natural Resources Fuel Authoritarianism? A Reappraisal of the Resource Curse," *American Political Science Review* 105: 1–26.
- Hadas, M. 1930. *Sextus Pompey*. New York.
- Haimson Lushkov, A. 2015. *Magistracy and the Historiography of the Roman Republic: Politics in Prose*. Cambridge.
- Hampus Lyttkens, C. 2012. *Economic Analysis of Institutional Change in Ancient Greece*. Oxford.
- Hands, A. R. 1968. *Charities and Social Aid in Greece and Rome*. Ithaca, NY.
- Hansen, M. H. 1999. *The Athenian Democracy in the Age of Demosthenes: Structure, Principles, and Ideology (Revised Edition)*. Norman, OK.
- Harl K. W. 1996. *Coinage in the Roman Economy, 300 B.C. to A.D. 700*. Baltimore.
- Harris, W. 1976. "The Development of the Quaestorship, 267–81 B. C.," *Classical Quarterly* 26: 92–106.
- Harris, W. V. 1977. "The Era of Patavium," *Zeitschrift für Papyrologie und Epigraphie* 27: 283–93.
- Harris, W. V. 1979. *War and Imperialism in Republican Rome, 327–70 B.C.* Oxford.
- Harris, W. V. 2003. "Roman Governments and Commerce, 300 B.C.–A.D. 300," in C. Zaccagnini, ed., *Mercanti e Politica nel Mondo Antico*, 275–306. Bari.
- Harris, W. V. 2007. "Quando e come l'Italia divenne per la prima volta Italia? Un saggio sulla politica dell'identità," *Studi Storici* 48: 301–22.
- Harris, W. V. 2008. "The Late Republic," in W. Scheidel, I. Morris, and R. P. Saller, eds., *The Cambridge Economic History of the Greek and Roman World*, 511–39. Cambridge.

- Haywood, R. M. 1938. "Roman Africa," in T. Frank, ed., *An Economic Survey of Ancient Rome* 3:3–119. Baltimore.
- Hekster, O. 2012. "Kings and Regime Change in the Roman World," in C. Smith and L. M. Yarrow, eds., *Imperialism, Cultural Politics and Polybius*, 184–204. Oxford.
- Hellegouarc'h, J. 1963. *Le vocabulaire latin des relations et des partis politiques sous la république*. Paris.
- Henderson, M. I. 1963. "The Establishment of the Equester Ordo," *Journal of Roman Studies* 53: 61–72.
- Herb, M. 2003. "Taxation and Representation," *Studies in Comparative International Development* 38(3): 3–31.
- Hermón, E. 1992. "Le Mythe des Gracques," *Athenaeum* 80: 97–131.
- Heuss, A. 1949. *Der Erste Punische Krieg und das Problem des römischen Imperialismus (Zur politischen Beurteilung des Krieges)*. Darmstadt.
- Higginbotham, J. 1997: *Piscinae: Artificial Fishponds in Roman Italy*. Chapel Hill, NC.
- Hin, S. 2013. *The Demography of Roman Italy: Population Dynamics in an Ancient Conquest Society (201 BCE–14 CE)*. Cambridge.
- Hinard, F. 1985, *Les Proscriptions de la Rome républicaine*. Rome.
- Hölkeskamp, K-J. 1987. *Die Entstehung der Nobilität: Studien zur sozialen und politischen Geschichte der Römischen Republik im 4. Jh. v. Chr.* Stuttgart.
- Hölkeskamp, K-J. 1990. "Senat und Volkstribunat im frühen 3. Jh. V. Chr.," in W. Eder, ed., *Staat und Staatlichkeit in der frühen römischen Republik. Akten eines Symposiums, 12.-15. Juli 1988, Freie Universität, Berlin*, 437–57. Stuttgart.
- Hölkeskamp, K-J. 1993. "Conquest, Competition and Consensus: Roman Expansion in Italy and the Rise of the "Nobilitas," *Historia: Zeitschrift für Alte Geschichte* 42: 12–39.
- Hölkeskamp, K-J. 2000. "The Roman Republic: Government of the People, by the People, for the People?" *Scripta Classica Israelica* 19: 203–33.
- Hölkeskamp, K-J. 2001. "Fact(ions) or Fiction? Friedrich Münzer and the Aristocracy of the Roman Republic: Then and Now," *International Journal of the Classical Tradition* 8: 92–105.
- Hölkeskamp, K-J. 2004a. *Rekonstruktionen einer Republik. Die politische Kultur des antiken Rom und die Forschung der letzten Jahrzehnte*. Munich.
- Hölkeskamp, K-J. 2004b. *Senatus Populusque Romanus. Die politische Kultur der Republik-Dimensionen und Deutungen*. Stuttgart.
- Hölkeskamp, K-J. 2006. "Konsens und Konkurrenz. Die politische Kultur der römischen Republik in neuer Sicht." *Klio* 88: 360–96.
- Hölkeskamp, K-J. 2010. *Reconstructing the Roman Republic: An Ancient Political Culture and Modern Research*. Princeton, NJ.
- Hölkeskamp, K-J. 2011a. "Prominenzrollen' und 'Karrierefelder'—Einleitende Bemerkungen zu Thematik und Begriffen," in W. Blösel and K-J. Hölkeskamp, eds., *Von der militia equestris zur militia urbana: Prominenzrollen und Karrierefelder im antiken Rom*, 9–28. Stuttgart.
- Hölkeskamp, K-J. 2011b. "The Roman Republic as Theatre of Power: The Consuls as Leading Actors," in H. Beck et al., eds., *Consuls and Res Publica: Holding High Office in the Roman Republic*, 161–81. Cambridge.
- Hopkins, K. 1978. *Conquerors and Slaves*. Cambridge.

- Hopkins, K. 1980. "Taxes and Trade in the Roman Empire (200 B.C.—A.D. 400)," *Journal of Roman Studies* 70: 101–25.
- Hopkins, K. 2002. "Rome, Taxes, Rents and Trade," in W. Scheidel and S. Von Reden, eds., *The Ancient Economy*, 190–232. New York.
- Hopkins, K. 2008. "The Political Economy of the Roman Empire," in I. Morris and W. Scheidel, eds., *The Dynamics of Empire: State Power from Assyria to Byzantium*, 178–204. Oxford.
- Horden, P., and Purcell, N. 2000. *The Corrupting Sea: A Study of Mediterranean History*. Oxford.
- Horvath, R. 1994. "The Origins of the Gracchan Revolution," in C. Deroux, ed., *Studies in Latin Literature and Roman History*, 7: 87–116. Brussels.
- Howgego, C. J. 1994. "Coin circulation and the Integration of the Roman Economy," *Journal of Roman Archaeology* 7: 5–21.
- Hoyos, D. 1998. *Unplanned Wars: The Origins of the First and Second Punic Wars*. Berlin.
- Hoyos, D. 2010. "Review of Steinby, *The Roman Republican Navy from the Sixth Century to 167 B.C.*" *Classical Review* 60: 513–15.
- Hoyos, D. 2011. "The Outbreak of War," in D. Hoyos, *A Companion to the Punic Wars*, 131–48. Oxford.
- Humphreys, S. C. P. 1990. "War, Imperialism and the Early State: A Comparative View," in W. Eder, ed., *Staat und Staatlichkeit in der frühen römischen Republik. Akten eines Symposiums, 12.-15. Juli 1988, Freie Universität, Berlin*, 293–302. Stuttgart.
- Itgenshorst, T. 2005. *Tota illa pompa. Der Triumph in der römischen Republik*. Göttingen.
- Jaczynowska, M. 1962. *The Economic Differentiation of the Roman Nobility at the End of the Republic*. Stuttgart.
- Jehne, M. 1987. *Der Staat des Dictators Caesar*. Cologne.
- Jehne, M. 1995. *Demokratie In Rom? Die Rolle des Volkes in der Politik der Römischen Republik*. Stuttgart.
- Jehne, M. 2000a. "Jovialität und Freiheit," in B. Linke and M. Stemler, eds., *Mos Maiorum: Untersuchungen zu den Formen der Identitätsstiftung und Stabilisierung in der römischen Republik*, 207–35. Stuttgart.
- Jehne, M. 2000b. "Wirkungsweise und Bedeutung der *centuria praerogativa*," *Chiron* 30: 661–78.
- Jehne, M. 2001. "Integrationsrituale in der römischen Republik. Zur einbindenden Wirkung der Volksversammlungen," in G. Urso, ed., *Integrazione, mescolanza, rifiuto. Incontri di popoli, lingue e culture in Europa dall'Antichità all'Umanesimo*, 89–113. Rome.
- Jehne, M. 2002. "Die Geltung der Provocation und die Konstruktion der Republik als Freiheitsgemeinschaft," in G. Melville and H. Vorländer, eds., *Geltungsgeschichten: Über die Stabilisierung und Legitimierung institutioneller Ordnungen*, 55–74. Cologne.
- Jehne, M. 2010. "Methods, Models and Historiography," trans. R. Morstein-Marx and B. Wolkow, in R. Morstein-Marx and N. Rosenstein, eds., *A Companion to the Roman Republic*, 3–28. Oxford.
- Jehne, M. 2011. "The Rise of the Consular as a Social Type in the Third and Second Centuries BC," in H. Beck et al., *Consuls and Res Publica: Holding High Office in the Roman Republic*, 211–31. Cambridge.

- Jehne, M. 2013. "Feeding the *Plebs* with Words: The Significance of Senatorial Public Oratory in the Small World of Roman Politics," in C. Steel and H. van der Blom, eds., *Community and Communication: Oratory and Politics in Republican Rome*, 49–62.
- Jessop, B. 2007. *State Power: A Strategic-Relational Approach*. Cambridge.
- Johnson, N. D. 2006. "Banking on the King: The Evolution of the Royal Revenue Farms in Old Regime France," *Journal of Economic History* 66: 963–91.
- Johnson, N. D., and Koyama, M. 2014. "Tax Farming and the Origins of State Capacity in England and France," *Explorations in Economic History* 51: 1–20.
- Jones, A. H. M. 1974. *The Roman Economy*, ed. P. A. Brunt. Oxford.
- Jones, A. H. M. 1998. *The Cities of the Eastern Roman Provinces*. Oxford.
- Jouffroy, H. 1986. *La construction publique en Italie et dans Afrique romaine*. Strasbourg.
- Kallet-Marx, R. M. 1995. *From Hegemony to Empire: The Development of the Roman Imperium in the East from 148 to 62 B.C.* Berkeley, CA.
- Kay, P. 2014. *Rome's Economic Revolution*. Oxford.
- Keaveney, A. 1992. *Lucullus: A Life*. London.
- Keaveney, A. 2007. *The Army in the Roman Revolution*. Oxford.
- Kehne, P. 2008. "Im republikanischen Staats- und Kriegsverträgen festgesetzte Kontributionen und Sachleistungen an den römischen Staat: Kriegsaufwandskosten, Logistikbeiträge, Kriegsentschädigungen, Tribute oder Strafen?," in F. Burrer and H. Müller, eds., *Kriegskosten und Kriegsfinanzierung in der Antike*, 260–80. Darmstadt.
- Kenney, E. J. 1982. *Latin Literature*. Cambridge.
- Kiser, E. 1994. "Markets and Hierarchies in Early Modern Tax Systems: A Principal-Agent Relationship," *Politics and Society* 22: 284–315.
- Kiser, E., and Kane, J. 2001. "Revolution and State Structure: The Bureaucratization of Tax Administration in Early Modern England and France," *American Journal of Sociology* 107(1): 183–223.
- Kiser, E., and Kane, D. 2007. "The Perils of Privatization," *Social Science History* 31: 191–212.
- Kondratieff, E. 2004. "The Column and Coinage of C. Duilius," *Scripta Classica Israelica* 23: 1–39.
- Kroll, W. 1933. *Die Kultur der Ciceronischen Zeit*. Darmstadt.
- Kunkel, W., and Wittmann, R. 1995. *Staatsordnung und Staatspraxis der römischen Republik: Die Magistratur*. Munich.
- Laser, G. 1997. *Populo et Scaenae Serviendum Est: Die Bedeutung der städtischen Masse in der Späten Römischen Republik*. Trier.
- Launaro, A. 2011. *Peasants and Slaves: The Rural Population of Roman Italy (200 BC to AD 100)*. Cambridge.
- Lavan, M. 2013. *Slaves to Rome: Paradigms of Empire in Roman Culture*. Cambridge.
- Lazenby, J. F. 1996. *The First Punic War*. London.
- Lendon, J. E. 1997. *Empire of Honour: The Art of Government in the Roman World*. Oxford.
- Lesinski, J. 2002. "Quintus Fabius Maximus Verrucosus: A Dictator in 217 BC?," in T. Derda, J. Urbanik, and M. Węcowski, eds., *Euergesias Charin: Studies Presented to Benedetto Bravo and Ewa Wipszycka by their Disciples*, 131–58. Warsaw.
- Levi, M. 1988. *Of Rule and Revenue*. Berkeley, CA.

- Levick, B. 1994. "Popular in the Provinces? A Propos of Tacitus 1.2.2," *Acta Classica* 37: 49–66.
- Levine, D. 2010. *Livy on the Hannibalic War*. Oxford.
- Lewis, M. E. 2015. "Early Imperial China, from Qin/Han through Tang," in A. Monson and W. Scheidel, eds., *Fiscal Regimes and the Political Economy of Premodern States*, 282–307. Cambridge.
- Li, F. 2013. *Early China: A Social and Cultural History*. Cambridge.
- Lintott, A. W. 1972. "Provocatio. From the Struggle of the Orders to the Principate," *Aufstieg und Niedergang der römische Welt* 1: 226–67.
- Lintott, A. W. 1992. *Judicial Reform and Land Reform in the Roman Republic: A New Edition with Translation and Commentary of the Laws from Urbino*. Cambridge.
- Lintott, A. W. 1993. *Imperium Romanum: Politics and Administration*. London.
- Lintott, A. W. 1994. "Political History, 146–95 B.C.," in J. A. Crook, A. W. Lintott, and E. Rawson, eds., *The Cambridge Ancient History*, 2nd ed., 9:40–103. Cambridge.
- Lintott, A. W. 1999. *The Constitution of the Roman Republic*. Oxford.
- Lintott, A.W. 2012. "Corruption," *Classical Review* 62(1): 235–6.
- Liu, J. 2007. "The Era of Patavium Again," *Zeitschrift für Papyrologie und Epigraphie* 162: 281–9.
- Lo Cascio, E. 2001a. "Il census a Roma e la sua evoluzione dall'età 'serviana' alla prima età imperiale," *Les Mélanges de l'École française de Rome—Antiquité* 113: 565–603.
- Lo Cascio, E. 2001b. "Recruitment and the Size of the Roman Population," in W. Scheidel, ed., *Debating Roman Demography*, 111–36. Leiden.
- Loewe, M. 1987. "The Structure and Practice of Government," in D. Twitchett, M. Loewe, and J. K. Fairbank, eds., *Cambridge History of China*, 1:463–90. Cambridge.
- López Castro, J. J. 2013. "The Spains, 202–72 BC," in D. Hoyos, ed., *A Companion to Roman Imperialism*, 67–78. Leiden.
- Loreto, L. 2007. *La grande strategia di roma nell'età della prima Guerra punica* (ca. 273–ca. 229 a.C.). Naples.
- Loreto, L. 2011. *Roman Politics and Expansion*, 241–219, in D. Hoyos, *A Companion to the Punic Wars*, 184–203. Oxford.
- Luciani, G. 1987. "Allocation vs Production States: A Theoretical Framework," in H. Beblawi and G. Luciani, *The Rentier State*, 63–82. London.
- Lundgreen, C. 2011. *Regelkonflikte in der römischen Republik. Geltung und Gewichtung von Normen in politischen Entscheidungsprozessen*. Stuttgart.
- Mackie, N. 1992. "Popularis Ideology and Popular Politics at Rome in the First Century B.C.," *Rheinisches Museum für Philologie* 135: 49–73.
- Magie, D. 1950. *Roman Rule in Asia Minor: To the End of the Third Century After Christ*, vol. 1. Princeton, NJ.
- Manacorda, D. 2005. "Le anfore di Pompeo Magno," in M. Sapelli Ragni, ed., *Studi di archeologia in memoria di Liliana Mercando*, 137–43. Turin.
- Mann, M. 1984. "The Autonomous Power of the State: Its Origins, Mechanisms and Results." *European Journal of Sociology* 25(2): 185–213.
- Mann, M. 1986. *The Sources of Social Power: A History of Power from the Beginning to A.D. 1760*, vol. 1. Cambridge.

- Manning, J. 2003. *Land and Power in Ptolemaic Egypt: The Structure of Land Tenure*. Cambridge.
- Manning, J. 2007. "Hellenistic Egypt," in I. Morris, R. P. Saller, and W. Scheidel, eds., *Cambridge Economic History of the Greco-Roman World*, 434–59. Cambridge.
- Manuwald, G. 2011. *Roman Republican Theatre*. Cambridge.
- Marchetti, P. 1978. *Histoire économique et monétaire de la deuxième guerre punique*. Brussels.
- Martin, I. W., Mehrotra, A. K., and Prasad, M. 2009. "The Thunder of History: The Origins and Development of the New Fiscal Sociology," in I. W. Martin, A. K. Mehrotra, and M. Prasad, eds., *The New Fiscal Sociology: Taxation in Comparative and Historical Perspective*, 1–27. Cambridge.
- Martin, J. 1970. "Die Provokation in der klassischen und späten Republik," *Hermes* 98: 72–96.
- Märtin, S. 2012. *Die politische Führungsschicht der römischen Republik im 2. Jh. v. Chr. zwischen Konformitätsstreben und struktureller Differenzierung*. Trier.
- Marzano, A. 2007. *Roman Villas in Central Italy: A Social and Economic History*. Leiden.
- Mattern, S. 1999. *Rome and the Enemy. Imperial Strategy in the Principate*. Berkeley, CA.
- Mattingly, H. B. 1972. "The Date of the Senatus Consultum de Agro Publico Pergameno," *American Journal of Philologie* 93: 412–23.
- McCarthy, J. D., and Zald, M. N. 1977. "Resource Mobilization and Social Movements: A Partial Theory." *American Journal of Sociology* 82(6): 1212–41.
- McDonnell, M. 2006a. "Roman Aesthetics and the Spoils of Syracuse," in S. Dillon and K. Welch, eds., *Representations of War in Ancient Rome*, 68–90. Cambridge.
- McDonnell, M. 2006b. *Roman Manliness: Virtus and the Roman Republic*. Cambridge.
- McDougall, I. 1992. "The Reputation of Appius Claudius Pulcher, Cos. 143 BC." *Hermes* 120: 452–60.
- Meier, C. 1980. *Res Publica Amissa: Eine Studie zu Verfassung und Geschichte der späten römischen Republik*. 2nd ed. Wiesbaden.
- Meier, C. 1995. *Caesar*. Trans. D. McLintock. London.
- Meijer, F. 1990. "The Financial Aspects of the *leges frumentariae* of 123–58 BC," *Münstersche Beiträge zur antiken Handelsgeschichte* 11: 14–23.
- Merola, G. D. 2001. *Autonomia Locale Governo Imperiale: Fiscalità e amministrazione nelle province asiatiche*. Bari.
- Migdal, J. S. 1988. *Strong Societies and Weak States: State-Society Relations and State Capabilities in the Third World*. Princeton, NJ.
- Migdal, J. S. 2001. *State in Society: Studying How States and Societies Transform and Constitute One Another*. Cambridge.
- Millar, F. 1984. "The Political Character of the Classical Roman Republic, 200–151 B.C.," *Journal of Roman Studies* 74: 1–19.
- Millar, F. 1986. "Politics, Persuasion and the People before the Social War (150–90 B.C.)," *Journal of Roman Studies* 76: 1–11.
- Millar, F. 1989. "Power in Mid-Republican Rome: Curia or Comitium?," *Journal of Roman Studies* 79: 138–50.
- Millar, F. 1998. *The Crowd in Rome in the Late Republic*. Ann Arbor, MI.
- Millar, F. 2002a. *Rome, the Greek World and the East. Vol. 1: The Roman Republic and the Augustan Revolution*, ed. H. M. Cotton and G. M. Rogers. Chapel Hill, NC.

- Millar, F. 2002b. *The Roman Republic in Political Thought*. Hanover, NH.
- Millett, P. 1992. *Lending and Borrowing in Ancient Athens*. Cambridge.
- Mitchell, S. 1993. *Anatolia: Land, Men, and Gods in Asia Minor*, vols. I and II. Oxford.
- Momigliano, A. 1975. *Alien Wisdom*. Cambridge.
- Mommsen T. 1862. *The History of Rome*, vol. 2. Trans. W. P. Dickson. London.
- Mommsen, T. 1870. "Anecdoton Livianvm," *Hermes* 4: 371–6.
- Monson, A., and Scheidel, W., eds. 2013. *Fiscal Regimes and the Political Economy of Premodern States*. Cambridge.
- Moore, M. 2003. "The New Fiscal Sociology in Developing Countries." Paper delivered at 2003 American Political Science Association, August 2003. At www.ibrarian.net/navon/paper/The_New_Fiscal_Sociology_in_Developing_Countries.pdf?paperid=1526264 (accessed October 14, 2016).
- Moreno, A. 2007. *Feeding the Democracy: The Athenian Grain Supply in the Fifth and Fourth Centuries B.C.* Oxford.
- Morstein-Marx, R. 2004. *Mass Oratory and Political Power in the Late Roman Republic*. Cambridge.
- Morstein-Marx, R. 2009. "Dignitas and Res Publica: Caesar and Republican Legitimacy," in K.-J. Hölkeskamp, ed., *Eine politische Kultur (in) der Krise? Die "letzte Generation" der römischen Republik*, 115–40. Munich.
- Morstein-Marx, R. 2011. "Consular Appeals to the Army in 88 and 87: The Locus of Legitimacy in Late-Republican Rome, in H. Beck et al., *Consuls and Res Publica: Holding High Office in the Roman Republic*, 259–78. Cambridge.
- Morstein-Marx 2013a. "Cultural Hegemony and the Communicative Power of the Roman Elite," in C. Steel and H. van der Blom, eds., *Community and Communication: Oratory and Politics in Republican Rome*, 29–48. Oxford.
- Morstein-Marx 2013b. "Review of V. Arena, *Libertas and the Practice of Politics in the Late Roman Republic*," CJ-Online, March 7, 2014.03.07, 1–5.
- Mouritsen, H. 2011. *The Freedman in the Roman World*. Cambridge.
- Mouritsen, H. 2013. "The Roman Empire I: The Republic," in P. F. Bang and W. Scheidel, eds., *The Oxford Handbook of the State in the Ancient Near East and Mediterranean*, 383–411. Oxford.
- Münzer, F. 1920. *Römische Adelsparteien und Adelsfamilien*. Stuttgart.
- Musgrave, R. A. 1992. "Schumpeter's Crisis of the Tax State: An Essay in Fiscal Sociology," *Journal of Evolutionary Economics* 2: 89–113.
- Ñaco del Hoyo, T. 2001. "Publicani, Redemptores, y el 'Vectigal Incertum' en Hispania y Occidente (218–123 a.C.)," in L. Hernández Guerra, Sagredo San Eustaquio, and J. Z. Solana Sáinz, eds., *La Península Ibérica hace 2000 años. Actas del I congreso internacional del Historia: Zeitschrift für Alte Geschichte, Antigua*, 366–75. Valladolid.
- Ñaco del Hoyo, T. 2003. *Vectigal Incertum. Economía de guerra y fiscalidad republicana en el Occidente mediterráneo: su impacto en el territorio (218–133 a.C.)*. British Archaeological Reports, Int.Ser.1158. Oxford.
- Ñaco del Hoyo, T. 2010. "The Republican 'War Economy' Strikes Back: A 'Minimalist Approach,'" in N. Barrandon and F. Kirbihler, eds., *Administrer les provinces de la République romaine*, 171–80. Rennes.
- Ñaco del Hoyo, T. 2011. "Roman Economy, Finance, and Politics in the Second Punic War," in D. Hoyos, ed., *A Companion to the Punic Wars*, 376–92. Oxford.

- Neesen, L. 1980. *Untersuchungen zu den direkten Staatsabgaben der römischen Kaiserzeit: (27 v. Chr.-284 n. Chr.)*. Bonn.
- Nettl, J. P. 1968. "The State as a Conceptual Variable," *World Politics* 20(4): 559–92.
- Nicolet, C. 1963. "A Rome pendant la seconde guerre punique. Techniques financières et manipulations monétaires," *Annales. Histoire, Sciences Sociales* 18: 417–36.
- Nicolet, C. 1965. "L'inspiration de Tiberius Gracchus," *Revue des études anciennes* 67: 142–59.
- Nicolet, C. 1970. "Cicéron, Platon et le vote secret," *Historia: Zeitschrift für Alte Geschichte* 19: 39–66.
- Nicolet, C. 1974. *L'Ordre équestre à l'époque républicaine (312–43 av. J.-C.)*. I. Définitions Juridiques et Structures Sociales. Paris.
- Nicolet, C. 1976. *Tributum: Recherches sur la fiscalité directe sous la république romaine*. Bonn.
- Nicolet, C. 1978. "Le stipendium des alliés italiens jusqu'à la Guerre sociale," *Papers of the British School at Rome* 46: 1–11.
- Nicolet, C. 1980a. "Économie, société et institutions au II^e siècle av. J.-C.: de la *lex Claudia* à l'*ager exceptus*," *Annales. Histoire, Sciences Sociales*: 871–94.
- Nicolet, C. 1980b. *The World of the Citizen in Republican Rome*. Berkeley, CA.
- Nicolet, C. 2000. *Censeurs et publicains: Économie et fiscalité dans le Rome antique*. Paris.
- Nippel, W. 1984. "Policing Rome," *Journal of Roman Studies* 74: 20–9.
- Nippel, W. 1988. *Aufbruch und "Polizei" in der römischen Republik*. Stuttgart.
- Nippel, W. 1995. *Public Order in Ancient Rome*. Cambridge.
- North, D. C., and Weingast, B. R. 1989. "Constitutions and Commitment: The Evolution of Institutional Governing Public Choice in Seventeenth-Century England," *Journal of Economic History* 49: 803–32.
- North, J. A. 1990. "Politics and Aristocracy in the Roman Republic," *Classical Philology* 85(4): 277–87.
- Northwood, S. J. 2008. "Census and Tributum," in L. De Ligt and S. J. Northwood, eds., *People, Land, and Politics: Demographic Developments and the Transformation of Roman Italy 300 BC—AD 14*, 257–72. Leiden.
- Oakley, S. P. 2005. *A Commentary on Livy Books VI–X*, vol. III. Oxford.
- Oebel, L. C. 1993. *Flaminius und die Anfänge der römischen Kolonisation im Ager Gallicus*. Bern.
- Orlin, E. M. 1997. *Temples, Religion and Politics in the Roman Republic*. Leiden.
- Osborne, R. 2000. "Review of R. S. Stroud, *The Athenian Grain-Tax Law of 374/3 B.C.*," *Classical Review* 50: 172–4.
- Osborne, R., and Rhodes, P. J. 2003. *Greek Historical Inscriptions, 404–323 BC*. Oxford.
- Palombi, D. 2010. "Roma tardo-repubblicana: verso la città ellenistica," in E. La Rocca, C. Parisi Presicce, and A. Lo Monaco, eds., *I giorni di Roma, l'età della conquista*, 65–82. Milan.
- Papi, E. 1995a. "Domus: M. Aemilius Scaurus," *Lexicon Topographicum Urbis Romae* 2: 26.
- Papi, E. 1995b. "Domus Regis Sacrorum/Sacrificuli," *Lexicon Topographicum Urbis Romae* 2: 169–70.
- Peachin, M. 2004. *Frontinus and the Curae of the Curator Aquarum*. Stuttgart.

- Perelli, L. 1982. *Il Movimento popolare nell' ultimo secolo della Repubblica*. Historica, Politica, Philosophica, il Pensiero Antico, Studi e Testi 11. Turin.
- Perelli, L. 1990. "Questioni Gracchane," *Rivista di Filologia e Istruzione Classica* 118: 237–52.
- Pettit, P. 2008. "Republican Freedom: Three Axioms, Four Theories," in C. Laborde and J. Maynor, eds., *Republicanism and Political Theory*, 102–30. Malden, MA.
- Pierson, P. 2004. *Politics in Time: History, Institutions, and Social Analysis*. Princeton, NJ.
- Pina Polo, F. 2011: *The Consul at Rome: The Civil Functions of the Consuls in the Roman Republic*. Cambridge.
- Pina Polo, F. 2012. "Contio, Auctoritas and Freedom of Speech in Republican Rome," in S. Benoist, ed., *Rome, a City and its Empire in Perspective: The Impact of the Roman World through Fergus Millar's Research*, 45–58. Leiden.
- Pitassi, M. 2009. *The Navies of Rome*. Woodbridge.
- Pittenger, M. R. P. 2008. *Contested Triumphs: Politics Pageantry, and Performance in Livy's Republican Rome*. Berkeley, CA.
- Platner, S. B., and Ashby T. 1929. *A Topographical Dictionary of Ancient Rome*. London.
- Prag, J. R. W. 2007. "Auxilia and Gymnasia: A Sicilian Model of Roman Imperialism," *Journal of Roman Studies* 97: 68–100.
- Prag, J. R.W. 2009. "Republican Sicily at the Start of the 21st Century: The Rise of the Optimists?" *Pallas* 79: 131–44.
- Prag, J. R. W. 2013. "Sicily and Sardinia-Corsica: The First Provinces," in D. Hoyos, ed., *A Companion to Roman Imperialism*, 53–65. London.
- Prag, J. R. W. 2014. "Bronze Rostra from the Egadi Islands off NW Sicily: The Latin Inscriptions," *Journal of Roman Archaeology* 27: 33–59.
- Pulliam, R. 1924. "Taxation in the Roman State," *Classical Journal* 19: 545–53.
- Purcell, N. 1993. "Atrium Libertatis," *Papers of the British School at Rome* 61: 125–55.
- Purcell, N. 2005. "The Ancient Mediterranean: The View from the Customs House," in W. V. Harris, ed., *Rethinking the Mediterranean*, 200–32. Oxford.
- Raaflaub, K. 1996. "Born to be Wolves? Origins of Roman Imperialism," in E. Harris and R. W. Wallace, eds., *Transitions to Empire in the Graeco-Roman World, 360–146 B.C.*, 273–314. Norman, OK.
- Rainier, J. M. 2012. "Public Building Contracts in the Roman Republic," in T. A. J. McGinn, ed., *Obligations in Roman Law: Past, Present and Future*, 174–88. Ann Arbor, MI.
- Rathbone, D. 2001. "The 'Muziris' papyrus (SB XVIII 13167): Financing Roman trade with India," in M. Abd-el-Ghani, S. Z. Bassiouni, and W. A. Farag, eds., *Alexandrian Studies II in Honor of Mostafa el Abbadi*, 39–50. Alexandria.
- Rathbone, D. W. 2003. "The Control and Exploitation of *Ager Publicus* in Italy under the Roman Republic," in J.-J. Aubert, ed., *Tâches publiques et entreprise privée dans le monde romain*, 135–78. Geneva.
- Rauh, N. 1986. "Cicero's Business Friendships: Economics and Politics in the Late Roman Republic," *Aevum* 60: 3–30.
- Ray, R., and Ray, R. 1975. "Zamindars and Jotedars: A Study of Rural Politics in Bengal," *Modern Asian Studies* 9: 81–102.

- Reid, A. 1993. "The Origins of Revenue Farming in Southeast Asia," in J. G. D. Butcher and H. W. Dick, eds., *The Rise and Fall of Revenue Farming: Business Elites and the Emergence of the State in Southeast Asia*, 69–79. London.
- Rich, J. W. 1976: *Declaring War in the Roman Republic in the Period of Transmarine Expansion*. Brussels.
- Rich, J. W. 1983. "The Supposed Roman Manpower Shortage of the Later Second Century," *Historia: Zeitschrift für Alte Geschichte* 32: 287–331.
- Rich, J. W. 2008a. "Lex Licinia, Lex Sempronia: B.G. Niebuhr and the Limitation of Landholding in the Roman Republic," in L. De Ligt and S. J. Northwood, *People, Land, and Politics: Demographic Developments and the Transformation of Roman Italy*, 519–72. London.
- Rich, J. W. 2008b. "Treaties, Allies and the Roman Conquest of Italy," in P. De Souza and J. France, eds., *War and Peace in Ancient and Mediaeval History*, 51–75. Cambridge.
- Richardson, J. S. 1986. *Hispaniae: Spain and the Development of Roman Imperialism*. Cambridge.
- Richardson, J. S. 1994. "The Administration of the Empire," in J. A. Crook, A. W. Lintott, and E. Rawson, eds., *The Cambridge Ancient History*, 2nd ed., 9:564–98. Cambridge.
- Richardson, L. 1992. *A New Topographical Dictionary of Ancient Rome*. Baltimore.
- Rickman, G. 1980. *The Corn Supply of Ancient Rome*. Oxford.
- Robert, L., and Robert, J. 1989. *Claros vol. 1, Décrets hellénistiques*. Paris.
- Roddaz, J.-M. 2005. "Popularis, Populisme, Popularité," in G. Urso, ed., *Popolo e potere nel mondo antico: atti del convegno internazionale, Cividale del Friuli, 23–25 settembre 2004*, 97–122. Pisa.
- Roller, M. 2001. *Constructing Autocracy: Aristocrats and Emperors in Julio-Claudian Rome*. Princeton.
- Roselaar, S. T. 2010. *Public Land in the Roman Republic: A Social and Economic History of Ager Publicus in Italy, 396–89 BC*. Oxford.
- Roselaar, S. T. 2013. "Review of V. Arena, *Libertas and the Practice of Politics in the Late Roman Republic*," *AHB Online Reviews* 3: 45–47. At <http://ancienthistorybulletin.org/wp-content/uploads/2014/08/AHBReviews201314.RoselaarOnArena.pdf> (accessed October 14, 2016).
- Rosenstein, N. 1990. *Imperatores Victi*. Berkeley, CA.
- Rosenstein, N. 2002. "Marriage and Manpower in the Hannibalic War: 'Assidui,' 'Proletarii' and Livy 24.18.7–8," *Historia: Zeitschrift für Alte Geschichte* 51: 163–91.
- Rosenstein, N. 2004. *Rome at War: Farms, Families and Death in the Middle Republic*. Chapel Hill, NC.
- Rosenstein, N. 2008. "Aristocrats and Agriculture in the Middle and Late Republic," *Journal of Roman Studies* 98: 1–26.
- Rosenstein, N. 2011. "War, Wealth and Consuls," in H. Beck et al., *Consuls and Res Publica: Holding High Office in the Roman Republic*, 133–58. Oxford.
- Rosenstein, N. 2012a. Review of K.-J. Hölkesskamp, *Reconstructing the Roman Republic*, *Classical World* 105: 276–7.
- Rosenstein, N. 2012b. *Rome and the Mediterranean, 290 to 146 BC: The Imperial Republic*. Edinburgh.

- Rosenstein, N. 2013. "Competition and Crisis in Mid-Republican Rome," *Phoenix* 47: 313–38.
- Rosenstein, N. 2016a. "Bellum se ipsum alet? Financing Mid-Republican Imperialism," in H. Beck, M. Jehne, and J. Serrati, eds., *Money and Power in the Roman Republic*, 114–30. Brussels.
- Rosenstein, N. 2016b. "Tributum in the Middle Republic," in J. Armstrong, ed., *Brill's Companion to War and Society from New Kingdom Egypt to Imperial Rome*, 80–97. Leiden.
- Rosillo López, C. 2010a. *La corruption à la fin de la république romaine (Ile-Ier s. av. J.-C.): aspects politiques et financiers*. Stuttgart.
- Rosillo López, C. 2010b. "La gestion des profits illégaux par les magistrats pendant la République romaine (Ile-Ier siècle av. J.-C.)," *Latomus* 69: 981–99.
- Ross, M. L. 2012. *The Oil Curse: How Petroleum Wealth Shapes the Development of Nations*. Princeton, NJ.
- Rostovtzeff, M. 1941. *Social and Economic History of the Hellenistic World*. Oxford.
- Roth, J. P. 1999. *The Logistics of the Roman Army at War (264 B.C.—A.D. 235)*. Leiden.
- Routledge, B. 2014. *Archaeology and State Theory: Subjects and Objects of Power*. New York.
- Runciman, W. G. 1982. "Origins of States: The Case of Archaic Greece." *Comparative Studies in Society and History* 24: 351–77.
- Russell, A. 2013. "Speech, Competition, and Collaboration: Tribunician Politics and the Development of Popular Ideology," in C. Steel and H. van der Blom, eds., *Community and Communication: Oratory and Politics in Republican Rome*, 101–16. Oxford.
- Russell, A. 2016. *The Politics of Public Space in Republican Rome*. Cambridge.
- Sadao, N. 1986. "The Economic and Social History of Former Han," in D. Twitchett, M. Loewe, and J. K. Fairbank, eds., *The Cambridge History of China, Vol. 1: The Ch'in and Han Empires, 221 B.C.—A.D. 220*, 545–607. Cambridge.
- Saller, R. 1982. *Personal Patronage under the Early Empire*. Cambridge.
- Saller, R. 1994. *Patriarchy, Property, and Death in the Roman Family*. Cambridge.
- Santangelo, F. 2007a. *Sulla, the Elites and the Empire: A Study of Roman Policies in Italy and the Greek East. Impact of Empire* 8. Leiden.
- Santangelo, F. 2007b. "A Survey of Recent Scholarship on the Age of the Gracchi (1985–2005)," *Topoi* 15(2): 465–510.
- Schama, S. 1989. *Citizens: A Chronicle of the French Revolution*. New York.
- Scheidel, W. 2004 "Human Mobility in Roman Italy, I: The Free Population," *Journal of Roman Studies* 94: 1–26.
- Scheidel, W. 2007. "A Model of Real Income Growth in Roman Italy." *Historia: Zeitschrift für Alte Geschichte* 56: 322–46.
- Scheidel, W. 2008. "Roman Population Size: The Logic of the Debate," in L. De Ligt and S. Northwood, *People, Land, Politics: Demographic Developments and the Transformation of Roman Italy, 300 BC-AD 14*, 17–70. Leiden.
- Scheidel, W. 2009. "From the 'Great Convergence' to the 'Great Divergence': Roman and Qin-Han State Formation and its Aftermath," in W. Scheidel, ed., *Rome and China: Comparative Perspectives on Ancient World Empires*, 11–23. Oxford.
- Scheidel, W. 2013. "Studying the State," in P. F. Bang and W. Scheidel, eds., *The Oxford Handbook of the State in the Ancient Near East and Mediterranean*, 5–57. Oxford.

- Scheidel, W. 2015. "State Revenue and Expenditure in the Han and Roman Empires," in W. Scheidel, ed., *State Power in Ancient China and Rome*, 150–80. Oxford.
- Scheidel, W., and Friesen, S. J. 2009. "The Size of the Economy and the Distribution of Income in the Roman Empire," *Journal of Roman Studies* 99: 61–91.
- Schulz, R. 1997. *Herrschaft und Regierung: Roms Regiment in den Provinzen in der Zeit der Republik*. Paderborn.
- Schumpeter, J. A. 1991. "The Crisis of the Tax State" in R. Swedberg, ed., *The Economics and Sociology of Capitalism*, 99–140. Princeton, NJ.
- Schwarz, R. 2007. "Rentier States and International Relations Theory." Paper presented at the 6th Pan-European Conference on International Relations (Turin, September 12–15, 2007). At www.eisa-net.org/be-bruga/eisa/files/events/turin/Schwarz-Rentier%20States%20and%20International%20Relations%20Theory.pdf (accessed October 14, 2016).
- Scott, J. C. 1990. *Domination and the Arts of Resistance: Hidden Transcripts*. New Haven.
- Scott, J. C. 1998. *Seeing Like a State: How Certain Schemes to Improve the Human Condition Have Failed*. New Haven.
- Scurmucza, V. M. 1933. "Roman Sicily," in T. Frank, ed., *An Economic Survey of Ancient Rome*, 3:225–377. Baltimore.
- Scullard, H. H. 1973. *Roman Politics 220–150 B.C.* Oxford.
- Seager, R. 1972. "Factio: Some Observations," *Journal of Roman Studies* 62: 53–8.
- Serrati, J. 2007. "Warfare and the State," in P. Sabin, H. van Wees, and M. Whitby, eds., *The Cambridge History of Greek and Roman Warfare, Vol. 1: Greece, the Hellenistic World and the Rise of Rome*, 461–97. Cambridge.
- Sewell, W. H. 2005. *Logics of History: Social Theory and Social Transformation*. Chicago.
- Shatzman, I. 1972. "The Roman General's Authority over Booty," *Historia: Zeitschrift für Alte Geschichte* 21: 177–205.
- Shatzman, I. 1975. *Senatorial Wealth and Roman Politics*. Brussels.
- Shaw, B. D. 1982. "Social Science and Ancient History: Keith Hopkins in *Partibus Infidelium*," *Helios* 9(2): 17–57.
- Sherk, R. K. 1969. *Roman Documents from the Greek East: Senatus Consulta and Epistulae to the Age of Augustus*. Baltimore.
- Sherwin-White, A. N. 1982. "The Lex Repetundarum and the Political Ideas of Gaius Gracchus," *Journal of Roman Studies* 72: 18–31.
- Sherwin-White, A. N. 1984. *Roman Foreign Policy in the East, 168 B.C. to A.D. 1*. Norman, OK.
- Siani-Davies, M. 1997. "Ptolemy XII Auletes and the Romans," *Historia: Zeitschrift für Alte Geschichte* 46: 306–40.
- Sidebottom, H. 2005. "Roman Imperialism: The Changed Outward Trajectory of the Roman Empire," *Historia: Zeitschrift für Alte Geschichte* 54: 315–30.
- Silver, M. 1997. "Those Exotic Roman Elites: Behavior vs. Preferences," *Historia: Zeitschrift für Alte Geschichte* 56: 347–55.
- Skinner, Q. 2008. "Freedom as the Absence of Arbitrary Power," in C. Laborde and J. Maynor, eds., *Republicanism and Political Theory*, 83–101. Malden, MA.
- Skocpol, T. 1985. "Bringing the State Back in: Strategies of Analysis in Current Research," in P. B. Evans, D. Rueschemeyer, and T. Skocpol, eds., *Bringing the State Back in*, 3–43. Cambridge.

- Soraci, C. 2003. "Sicilia Frumentaria: contributi allo studio della Sicilia in epoca repubblicana," *Quaderni Catanesi di studi antichi e medievali* n.s. anno II: 289–401.
- Sorg, T. 2015. "Agyrrhios beyond Attica: Tax-Farming and Imperial Recovery in the Second Athenian League," *Historia: Zeitschrift für Alte Geschichte* 64: 49–76.
- Spielvogel, J. 2004. "Reflections on the Development of the Mentality within the Roman Nobility," *Klio* 86: 382–97.
- Starr, C. G. 1980. *The Beginnings of Imperial Rome: Rome in the Mid-Republic*. Ann Arbor, MI.
- Steel, C. 2007. "The Rhetoric of the *De Frumento*," in J. Prag, ed., *Sicilia Nutrix Plebis Romanae*, 37–48. London.
- Stein, B. 2010. *A History of India*. 2nd ed. Chichester.
- Steinby, C. 2004. "War at Sea in the Second Punic War" *Ancient Society* 34: 77–114.
- Steinby, C. 2007. *The Roman Republican Navy from the Sixth Century to 167 B.C.* Commentationes Humanarum Litterarum 123. Helsinki.
- Steinby, E. M. 2012. *Edilizia pubblica e potere politico nella Roma repubblicana*. Milan.
- Stockton, D. 1971. *Cicero: A Political Biography*. Oxford.
- Stockton, D. 1979. *The Gracchi*. Oxford.
- Streeck, W., and Thelen, K., eds. 2005. *Beyond Continuity: Institutional Change in Advanced Political Economies*. Oxford.
- Strong, D. E. 1968. "The Administration of Public Building in Rome during the Late Republic and Early Empire," *Bulletin of the Institute of Classical Studies* 15: 97–109.
- Stroud, R. S. 1998. *The Athenian Grain-Tax Law of 374/3 B.C.* Princeton, NJ.
- Sumner, G. V. 1975. "Elections at Rome in 217 B.C.," *Phoenix* 29: 250–9.
- Syme, R. 1939. *The Roman Revolution*. Oxford.
- Takmer, B. 2007. "Lex Portorii Provinciae Lyciae: Ein Vorbericht über die Zollinschrift aus Andriake aus Neronischer Zeit," *Gephyra* 4: 165–88.
- Tan, J. 2013. "Booty and the Roman Assembly in 264 B.C.," *Historia: Zeitschrift für Alte Geschichte* 62: 417–9.
- Tatum, W. J. 1999. *The Patrician Tribune: Publius Clodius Pulcher*. Chapel Hill, NC.
- Tarrow, S. G., and Tilly, C. 2006. *Contentious Politics*. Boulder, CO.
- Taylor, L. R. 1949. *Party Politics in the Age of Caesar*. Berkeley, CA.
- Taylor, L. R. 1962. "Forerunners of the Gracchi," *Journal of Roman Studies* 52: 19–27.
- Taylor, L. R. 1966. *Roman Voting Assemblies*. Ann Arbor, MI.
- Taylor, M. 2017. "State Finance in the Middle Roman Republic: A Reevaluation," *American Journal of Philology* 138: Forthcoming.
- Thelen, K. 2002. "Insights from Comparative Institutional Analysis," in J. Mahoney and D. Rueschemeyer, eds., *Comparative Historical Analysis in the Social Sciences*, 208–40. Cambridge.
- Thiel, J. H. 1954. *A History of Roman Sea-Power before the Second Punic War*. Amsterdam.
- Tibiletti, G. 1950. "Ricerche di storia agraria romana," *Athenaeum* 28: 183–266.
- Tilly, C. 1990. *Coercion, Capital, and European States, AD 990–1990*. Cambridge, MA, and Oxford.
- Tilly, C. 2003. *The Politics of Collective Violence*. Cambridge.
- Tilly, C. 2007. *Democracy*. Cambridge.
- Tilly, C. 2009. "Extraction and Democracy," in I. W. Martin et al., *The New Fiscal Sociology: Taxation in Comparative and Historical Perspective*, 173–82. Cambridge.

- Tucci, P. L. 2005. "Where High Moneta Leads Her Steps Sublime: The 'Tabularium' and the Temple of Juno Moneta," *Journal of Roman Archaeology* 18(1): 6–33.
- Tucci, P. L. 2012. "La controversa storia della Porticus Aemilia," *Archeologia Classica* 63: 575–91.
- Turner, R. N., and Killian, L. 1972. *Collective Behavior*. Englewood Cliffs.
- Tusa, S., and Royal, J. 2012. "The Landscape of the Naval Battle at the Egadi Islands (241 B.C.)," *Journal of Roman Archaeology* 25: 7–48.
- Tweedie, F. 2011. "The Case of the Missing Veterans: Roman Colonization and Veteran Settlement in the Second Century B.C.," *Historia: Zeitschrift für Alte Geschichte* 60: 458–73.
- Tweedie, F. 2012. "The *Lex Licinia Mucia* and the *Bellum Italicum*," in S. Roselaar, ed., *Processes of Integration and Identity Formation in the Roman Republic*, 123–40. Leiden.
- Ulrich, R. B. 1993. "Julius Caesar and the Creation of the Forum Iulium," *American Journal of Archaeology* 97: 49–80.
- Ungern-Sternberg, T., von. 1988. "Überlegungen zum Sozialprogramm der Gracchen," in H. Kloft, ed., *Sozialmassnahmen und Fürsorge: Zue Eigenart antiker Sozialpolitik*, 167–85. Graz = 2006. *Römische Studien Geschichtsbewusstsein—Zeitalter der Gracchen—Krise der Republik*, 245–63. Munich.
- Ungern-Sternberg, T., von. 2005. "The End of the Conflict of the Orders," in K. Raafaub, ed., *Social Struggles in Archaic Rome: New Perspectives on the Conflict of the Orders*, 2nd ed., 312–32. Malden, MA.
- Vanderwalle, D. 1987. "Political Aspects of State Building in Rentier Economies: Algeria and Libya Compared," in H. Beblawi and G. Luciani, eds., *The Rentier State*, 2nd ed., 159–71. London.
- Vandorpe, K. 2000. "The Ptolemaic Epigraphe or Harvest Tax (*shemu*)," *Archiv für Papyrusforschung und verwandte Gebiete* 46(2): 169–232.
- Verboven, K. 2003. "54–44 BCE: Financial or monetary crisis?" in E. Lo Cascio, ed., *Credito e moneta nel mondo romano (Incontri capresi di storia dell'economia antica, Capri 2000)*, 49–68. Bari.
- Vervaet, F. J. 2007. "The Scope and Historic Significance of the 'Lex Metilia de Aeqvando M. Minvci Magistri Eqvitym et Q. Fabi Dictatoris Ivre' (217 B.C.E.)," *Studia et Documenta Historiae et Iuris* 72: 197–232.
- Vervaet, F. J. 2014. *The High Command in the Roman Republic: The Principle of the Summum Imperium Auspiciumque from 509 to 19 BCE*. Stuttgart.
- Vervaet, F. J., and Nāco del Hoyo, T. 2007. "War in Outerspace: Nature and Impact of the Roman War Effort in Pre-Provincial Spain, 218/217–197 BCE," in L. de Blois and E. Lo Cascio, eds., *The Impact of the Roman Army (200 BC—AD 476): Economic, Social, Political, Religious and Cultural Aspects*, 21–46. Leiden.
- Veyne, P. 1976. *Le pain et le cirque: Sociologie historique d'un pluralisme politique*. Paris.
- Veyne, P. 1990. *Bread and Circuses: Historical Sociology and Political Pluralism*. Trans. P. Pearce. London.
- Vollmer, D. 1990. *Symploke: Das Ubergreifen der römischen Expansion auf den griechischen Osten (Untersuchungen zur römischen Auaenpolitik am Ende des 3. Jhs. v. Chr.)*. Stuttgart.

- Volpe, R. 2012. "Republican villas in the Suburbium of Rome," in N. Terrenato and J. A. Becker, eds., *Roman Republican Villas: Architecture, Context, and Ideology*, 94–110. Ann Arbor, MI.
- Walbank, F. W. 1957. *A Historical Commentary to Polybius*, vol. I. Oxford.
- Wallace, C. 2014. "Ager Public in the Greek East: I. Priene 111 and Other Examples of Resistance to the Publicani," *Historia: Zeitschrift für Alte Geschichte* 63: 38–73.
- Wallace, R. W. 2009. "Personal Freedom in Greek Democracies, Republican Rome, and Modern Liberal States," in R. Balot, ed., *A Companion to Greek and Roman Political Thought*. Blackwell Companions to the Ancient World. Literature and Culture, 164–77. Malden, MA.
- Wallace-Hadrill, A. 1989. *Patronage in Ancient Society*. London.
- Wallace-Hadrill, A. 1990. "Roman Arches and Greek Honours: The Language of Power at Rome," *Proceedings of the Cambridge Philological Society* 36: 143–81.
- Wallace-Hadrill, A. 2008. *Rome's Cultural Revolution*. Cambridge.
- Walter, U. 1998. "Der Begriff des Staates in der griechischen und römischen Geschichte," in T. Hantos and G. A. Lehmann, eds., *Althistorisches Kolloquium aus Anlaß des 70. Geburtstages von Jochen Bleicken*, 9–27. Stuttgart.
- Walter, U. 2004. *Memoria und res publica. Zur Geschichtskultur im republikanischen Rom*. Frankfurt am Main.
- Ward, A. 1977. *Marcus Crassus and the Late Roman Republic*. Columbia, MO.
- Webber, C., and Wildavsky, A. 1986. *A History of Taxation and Expenditure in the Western World*. New York.
- Weber, M. 1976. *The Agrarian Sociology of Ancient Civilizations*. Trans. R. I. Frank. London.
- Weber, M. 1978. *Economy and Society: An Outline of Interpretive Sociology*. Trans. G. Roth & C. Wittich. Berkeley, CA.
- Welch, K. 2003. "A New View of the Origins of the Basilica," *Journal of Roman Archaeology* 16(1): 5–34.
- Westall, R. 1996. "The Forum Iulium as Representation of Imperator Caesar," *Mitteilungen des Deutschen Archäologischen Instituts* 103: 83–118.
- Whitehead, D. 1986. "The Measure of a Millionaire. What Crassus Really Said," *Liverpool Classical Monthly* 11: 71–4.
- Wiens, D., Poast, P., and Clark, W. R. 2014. "The Political Resource Curse: An Empirical Re-Evaluation," *Political Research Quarterly* 67: 783–94.
- Wild, H. 1994. *Untersuchungen zur Innenpolitik des Gaius Flaminius*. Munich.
- Wilson, A. 2012. "Approaches to Quantifying Roman Trade," in A. Bowman and A. Wilson, eds., *Quantifying the Roman Economy: Methods and Problems*, 213–49. Oxford.
- Wirszubski, C. 1950. *Libertas as a Political Idea at Rome during the Late Republic and Early Empire*. Cambridge.
- Wiseman, T. P. 1969. "The Census in the First Century B.C.," *Journal of Roman Studies* 59: 59–75.
- Wiseman, T. P. 1970a. "The Definition of 'Eques Romanus' in the Late Republic and Early Empire," *Historia: Zeitschrift für Alte Geschichte* 19(1): 67–83.
- Wiseman, T. P. 1970b. "Roman Republican Road Building," *Proceedings of the British School at Rome* 38: 122–52.

- Wiseman, T. P. 1979. *Clio's Cosmetics: Three Studies in Greco-Roman Literature*. Leicester.
- Wiseman, T. P. 2004. *The Myths of Rome*. Exeter.
- Wiseman, T. P. 2009. *Remembering the Roman People*. Oxford.
- Wiseman, T. P. 2010. "The Two-Headed State: How Romans Explained Civil War," in B. W. Breed, C. Damon, and A. Rossi, eds., *Citizens of Discord: Rome and its Civil Wars*, 25–44. Oxford.
- Wolters, R. 1999. *Nummi Signati. Untersuchungen zur römischen Münzprägung und Geldwirtschaft*. Munich.
- Wolters, R. 2007. "Vectigal, tributum and stipendium—Abgabenformen in römischer Republik und Kaiserzeit," in H. von Klinkott, S. Kubisch, and R. Müller-Rollermann, eds., *Geschenke und Steuern, Zölle und Tribute: Antike Abgabenformen in Anspruch und Wirklichkeit*, 407–30. Leiden.
- Woytek, B. E. 2012. "The Denarius Coinage of the Roman Republic," in W. E. Metcalf, ed., *The Oxford Handbook of Greek and Roman Coinage*, 315–34. Oxford.
- Yakobson, A. 1992. "Petitio et Largitio: Popular Participation in the Centuriate Assembly of the Late Republic," *Journal of Roman Studies* 82: 32–52.
- Yakobson, A. 1995. "Secret Ballot and Its Effects in the Late Roman Republic," *Hermes* 123(4): 426–42.
- Yakobson, A. 1999. *Elections and Electioneering in Rome. A Study in the Political System of the Late Republic*. Stuttgart.
- Yakobson, A. 2004. "The People's Voice and the Speakers' Platform: Popular Power, Persuasion and Manipulation in the Roman Forum," *Scripta Classica Israelica* 23: 201–12.
- Yakobson, A. 2010. "Traditional Political Culture and the People's Role in the Roman Republic," *Historia: Zeitschrift für Alte Geschichte* 30: 282–302.
- Zanker, P. 1990. *The Power of Images in the Age of Augustus*. Trans. A. Shapiro. Ann Arbor, MI.
- Zehnacker, H. 1979. "La terre et l'argent (Cicéron, *Pro Flacco*, 42–50)," *Revue des études latines* 57: 165–86.
- Zevi, F. 1991. "L'atrium regium," *Archeologia Classica* 43: 475–87.

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